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J. D. RHEINALLT JONES AND C. M. DOKE

ASSISTED BY

I. SCHAPERA AND JULIUS LEWIN

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NATAL CODE OF NATIVE LAW

The Natal Code of Native Law, which was originally passed as Law No. 19 of 1891, was revised and re-published in 1932 in terms of the Native Administration Act, No. 38 of 1927, section 24. It has, however, been out of print for some years. It is reproduced here by kind permission of the Secretary for Native Affairs and the Government Printer (copyright authority No. 490 of 18 November 1942).

The few amendments that have been made since 1932 have been incorporated in this text, as indicated in the appropriate places.

NATAL CODE OF NATIVE LAW

[Proclamation No. 168, 1932.]

[*Signed by the Governor-General in English.*]

Whereas it is expedient to amend the Natal Code of Native Law contained in the Schedule to Natal Law No. 19 of 1891 and various amending statutes :

And whereas such Code and amendments were continued in full force and effect by section *twenty-four* of the Native Administration Act, 1927 (Act No. 38 of 1927), except in so far as amended under the provisions of that section :

And whereas provision is made in the said section *twenty-four* of the said Act for extending the operation of the said Code of Native Law and any amendment thereof to Zululand in the Province of Natal :

Now, therefore, under and by virtue of the powers vested in me by section *twenty-four* of the Native Administration Act, 1927 (Act No. 38 of 1927), I do hereby proclaim, declare and make known as follows :—

1. The said Natal Code of Native Law shall be and is hereby amended—

(*a*) by the substitution of the Schedule to this Proclamation for the schedule to Law No. 19 of 1891 (Natal) ; and

(*b*) by the repeal of the following Natal Acts, that is to say :—

Act No. 13 of 1894.
Act No. 40 of 1896.
Act No. 8 of 1897.
Act No. 5 of 1898.
Act No. 1 of 1901.
Act No. 25 of 1902.
Act No. 47 of 1903.
Act No. 7 of 1910.

2. The operation of the said Code of Native Law as amended by this Proclamation is hereby extended to Zululand.

3. The provisions of this Proclamation shall commence and take effect from the 1st November, 1932.

God Save the King.

Given under my Hand and the Great Seal of the Union of South Africa, at Pretoria, this Seventeenth day of September One thousand Nine hundred and Thirty-two.

CLARENDON,
Governor-General.

By Command of His Excellency the
Governor-General-in-Council.
E. G. JANSEN.

SCHEDULE

Introductory

This Code is divided into seventeen chapters which severally relate to the following subject matters :—

Chapter I : Explanatory (section *one*).
Chapter II : Supreme Chief and Supreme Chief's Orders (sections *two* to *ten*).
Chapter III : Tribal Boundaries (sections *eleven* to *fourteen*).
Chapter IV : Chiefs and Headmen (sections *fifteen* to *twenty-four*).
Chapter V. : Personal Status (sections *twenty-five* to *thirty-two*).

Chapter VI: Kraal Heads (sections *thirty-three* to *forty-three*).
Chapter VII: Guardianship (sections *forty-four* to *fifty-six*).
Chapter VIII: Customary Unions and Cognate Unions (sections *fifty-seven* to *seventy-five*).
Chapter IX: Divorce and Annulment of Customary Unions (sections *seventy-six* to *eighty-four*).
Chapter X: Lobolo (sections *eighty-five* to *ninety-six*).
Chapter XI: Kraal Family System (sections *ninety-seven* to *one hundred and seven*).
Chapter XII: Inheritance and Succession (sections *one hundred and eight* to *one hundred and eighteen*).
Chapter XIII: Medicine Men and Herbalists (sections *one hundred and nineteen* to *one hundred and twenty-nine*).
Chapter XIV: Actionable Wrongs (sections *one hundred and thirty* to *one hundred and forty-three*).
Chapter XV: Civil Procedure and Miscellaneous Provisions (sections *one hundred and forty-four* to *one hundred and fifty-four*).
Chapter XVI: Offences (sections *one hundred and fifty-five* to *one hundred and seventy-one*).
Chapter XVII: General Penalty (section *one hundred and seventy-two*).

CHAPTER I.

Explanatory

1. (1) In this Code "The Act" means the Native Administration Act, No. 38 of 1927, as amended, and any expression used in the Act shall when used in this Code have the same significance except in so far as is herein otherwise expressly provided.

(2) In this Code terms connoting family relationships such as "husband", "wife" and the like in addition to their ordinary significance are applied to such relationships arising out of customary unions, and the terms "divorce", "nullity", "married" and "unmarried" have a corresponding application.

(3) In this Code :—

(*a*) "Afliation" means the attachment of one or more junior houses to a senior or superior house—either the *indhlunkulu*, the *ikohlo* or the *iqadi*—for the purpose of providing against the failure of an heir in such senior or superior house, and "affiliated" has a corresponding meaning.

(*b*) "Chief's Deputy" replaces the term "District Headman" hitherto in use and means any person appointed by a chief under the provisions of section *seventeen* to control any particular section of his tribe.

(*c*) "Chief Native Commissioner" means the Chief Native Commissioner appointed for the Province of Natal under sub-section (1) of section *two* of the Act.

(*d*) "Customary union" means a "customary union" as defined in the Act provided that such has been entered into in accordance with the essential requirements prescribed by this Code.

(*e*) "*Etula*" in so far as it is enforceable at law means the custom whereby an obligation is imposed upon a junior house to refund *lobolo* which may have been taken from a senior house to establish such junior house. The *lobolo* of the eldest daughter of such junior house is usually indicated as the source from which the liability is to be met but the custom is not recognised as extending to the handing over of the "*etula*" girl herself as a pledge of payment.

(*f*) "House" means the family and property, rights and status, which commence with, attach to and arise out of the customary union of any native woman or the marriage of any native woman.

(*g*) "House property" means property vested in and pertaining specially to any house in a kraal. Such property is acquired by donations or apportionment and by receipt of *lobolo* in respect of the girls of the house.

(*h*) "*Ikohlo*" (*ikohlwa*) is the left hand senior house of a kraal which has been divided into sections as described in section *one* *hundred* and with its affiliated houses forms the *ikohlo* (*ikohlwa*) section; it is usually established with kraal property and does not, in the absence of an express declaration to the contrary, make any refund of such property.

(*i*) "*Indhlunkulu*" means the "great house"—the chief house in a kraal; from it the other houses take their position and with its affiliated houses it forms the *indhlunkulu* section of the kraal.

(*j*) "Inmate" in relation to a "kraal" means a person usually residing therein and includes the head of a family resident in a kraal subject to the control of the kraal head.

(*k*) "*Iqadi*" (*inqadi*) is the right hand senior house of a kraal which has been divided into sections as described in section *one hundred* and with its affiliated houses forms the *iqadi* (*inqadi*) section; for purposes of succession it ranks next to the *indhlunkulu* section.

(*l*) "Kraal" means the domestic establishment and ordinary place of residence of Natives and may consist of one or more houses and includes individual dwellings occupied by Natives on mission stations or private lands.

(*m*) "Kraal head" means the owner or the person having charge of a kraal.

(*n*) "Kraal property" means all the property in a kraal other than (i) property vesting in or pertaining specially to any particular house of that kraal and (ii) the personal property of any major inmate or of any inmate not related to or belonging to the family of the kraal head.

(*o*) "*Lobolo*" means cattle or other property which in consideration of an intended customary union the intended husband, his parent or guardian or other person agrees to deliver to the parent or guardian of the intended wife.

(*p*) "*Ngqutu Beast*" means a beast which is payable by the husband or seducer as the case may be to a woman, or the house to which she belongs, upon the entrance into a customary union or the seduction of her daughter.

(*q*) "Official witness" means a person appointed as such under section *sixteen* to officiate at the celebration of customary unions.

(*r*) "*Sisa*" means a custom whereby cattle or other livestock are deposited by their owner with some other person on the understanding that such person shall enjoy the use of them, but that the ownership shall remain with and increase accrue to the depositor.

(*s*) "*Ukungena*" means a union with a widow undertaken on behalf of her deceased husband by his full or half brother or other peternal male relative for the purpose (i) in the event of her having no male issue by the deceased husband of raising an heir to inherit the property or property rights attaching to the house of such widow or (ii) in the event of her having such male issue of increasing the nominal offspring of the deceased.

(*t*) "*Ukuvusa*" means a form of vicarious union which occurs when the heir at law or other responsible person uses property belonging to a deceased person or his own property to take a wife for the purpose of increasing or resuscitating the estate of such deceased person or to perpetuate his name and provide him with an heir.

(4) The following terms are not used elsewhere in this Code but in native law have the meanings respectively assigned to them hereunder:—

(*a*) "*Insonyama*" denotes certain choice portions of a beast which under one form of the "*etula*" custom are in recognition of status handed over by an inferior house to the head of a superior house in the kraal when a beast is slaughtered by such inferior house. Observance of this custom is of evidential value in determining the status of the houses concerned but is not enforceable at law.

(*b*) "*Isizinda*" denotes the appointment by a kraal head of one of his sons—usually the first born son—to be the formal head of the family in his own stead after his decease. The appointment carries with it no property rights or obligations.

(*c*) "*Umhlubulo*" denotes certain portions of a beast which under one form of the "*etula*" custom are handed over by the head of a superior house to and are the perquisite of an inferior house in the kraal when a beast is slaughtered by such superior house. Observance of this custom is of evidential value in determining the status of the houses concerned but is not enforceable at law.

CHAPTER II.

The Supreme Chief and Supreme Chief's Orders

2. The Governor-General, as Supreme Chief shall in respect of Natives in the Province of Natal exercise and enjoy all powers, authorities, functions, rights, immunities and privileges which according to the laws, customs and usages of Natives are exercised and enjoyed by any Supreme or Paramount Native Chief and which shall be deemed *inter alia* to include the following :—

(*a*) Power to call upon chiefs personally to render military or other service and to supply armed men or levies for the suppression of disorder or rebellion.

(*b*) Authority in the exercise of his functions and powers to punish disobedience of his orders or disregard of his authority by fine or imprisonment or by both fine and imprisonment.

(*c*) The function of Upper Guardian of all Native orphans and minors in law.

3. (1) The orders and directions of the Supreme Chief may be carried into execution by the Secretary for Native Affairs, the Chief Native Commissioner, any native commissioner or any other officer duly authorized by the Supreme Chief or by the Minister of Native Affairs. Any such person in carrying out such orders and directions shall be regarded as the deputy or representative of the Supreme Chief.

(2) Any order or direction of the Supreme Chief may be transmitted by telegram to the person or persons charged with the execution thereof and such telegram shall be sufficient authority for such person or persons to act upon such order or direction : provided that any such telegram shall within a period not exceeding fourteen days be confirmed by certificate under the hand of the Secretary for Native Affairs or of the Chief Native Commissioner.

(3) Any order made or direction given by the Supreme Chief shall be sufficient authority to the person or persons charged with the execution thereof and to all others, upon whom the duties thereunder or derived therefrom may successively devolve, to do all such things and to give all such instructions as are required for the effective carrying out of the order or direction.

4. The authority of administrative officers under this Code shall be deemed to include such incidental powers as may be necessary to ensure that their administration is not impeded or rendered nugatory for want of definite provision therefor.

5. (1) The Supreme Chief, the Minister of Native Affairs, the Secretary for Native Affairs, the Chief Native Commissioner, and native commissioners may command the attendance of chiefs and natives for any purpose of public interest, public utility, or for the purpose of carrying out the administration of any law, at any reasonable time and under reasonable circumstances, and in pursuance of any such purpose may require them to render obedience, assistance, and active co-operation in the execution of any reasonable order.

(2) Disregard or defiance of any order made under the provisions of sub-section (1) shall be deemed to be disregard or defiance of an order of the Supreme Chief and any Native guilty thereof or showing disrespect to any officer referred to in sub-section (1) shall be guilty of an offence.

(3) When any such offence as is in sub-section (2) referred to is committed under cir-

cumstances rendering prompt action necessary, any such officer as is specified in sub-section (1) may order the immediate arrest of the offender and call upon him to show cause why he should not be punished. Should he fail to furnish a satisfactory explanation such officer may summarily punish the offender by a fine not exceeding ten pounds or by imprisonment for a period not exceeding two months.

(4) Any action taken as in sub-section (3) provided by a native commissioner shall be reported immediately to the Chief Native Commissioner who may confirm, reduce, or disallow the punishment.

(5) Any punishment imposed under the provisions of sub-section (3) shall, subject to the provisions of sub-section (4), on a certificate under the hand of the officer who imposed it, have effect and be acted upon by the native commissioner of the district as if it were a sentence passed by him in the exercise of criminal jurisdiction duly conferred upon him under section *nine* of the Act.

(6) A Native summarily punished as in sub-section (3) provided shall not, unless the punishment be disallowed by the Chief Native Commissioner, be prosecuted in any court of law for the same offence.

6. (1) When any homicide, assault, theft or other injury to person or property has occurred and it is shown to the satisfaction of the Supreme Chief that the same was caused by Natives and if there is reason to believe that there is a combination or conspiracy among any tribe or community or body of Natives to suppress evidence relating to such offence or to conceal the identity of the perpetrator or perpetrators thereof, or by passive or other resistance to constituted authority to encourage the repetition of such offence, it shall be lawful for the Supreme Chief to impose a fine not exceeding twenty pounds or four head of cattle upon each or any of the adult male members of such tribe, community or body.

(2) From the proceeds of any fine imposed under sub-section (1) the Minister may award to any person injured by the offence such compensation as he deems equitable and just.

7. (1) Any Native who shall participate in an assembly of armed men held without authority or who shall directly or indirectly promote or assist in any such assembly shall be guilty of an offence, whether or not such assembly leads to a breach of the peace or other offence.

(2) When any such assembly as is referred to in sub-section (1) has taken place and it is shown to the satisfaction of the Supreme Chief that there is a combination or conspiracy among any tribe or community or body of Natives or between different tribes, communities or bodies of Natives to suppress the names of those who participated in, promoted or otherwise assisted in such assembly or to conceal or shield any such person or persons from justice, it shall be lawful for the Supreme Chief to impose a fine not exceeding twenty pounds or four head of cattle upon each or any of the adult male members of any such tribe, community or body.

8. Whenever the Supreme Chief is satisfied that any Native is dangerous to the public peace, if left at large, he may by proclamation authorise the summary arrest and detention of such Native in such place and subject to such conditions as he may determine; provided that any Native so arrested and detained may after the lapse of three months from the date of his arrest apply to the Supreme Court for his release, which shall thereupon be granted by the said Court unless such person shall then be detained under lawful warrant other than such proclamation.

8. *bis*. The Supreme Chief may at any time and in his discretion order any native suffering from leprosy to be removed to, and be detained in, any special place or premises, for the purpose of undergoing treatment, and such native shall be subject to the regulations applicable to such place or premises.
(Inserted by Proclamation No. 162 of 4 August 1933)

9. (1) Any punishment, whether of fine or imprisonment, imposed by the Supreme Chief may be enforced under the authority of an order signed on behalf of the Supreme Chief by the Secretary for Native Affairs specifying the punishment and the Native by whom it is to be

suffered; provided that in the case of a fine imposed upon each adult male member of any tribe or community, as in sub-section (1) of section *six*, or in sub-section (2) of section *seven* provided, it shall not be necessary to specify by name each Native by whom such fine is payable.

(2) Every such order, or a copy thereof certified by the Chief Native Commissioner, shall be forwarded to the native commissioner of the district in which such Native may be found and shall have effect and be acted upon by the native commissioner as if it were a sentence passed by him in the exercise of criminal jurisdiction duly conferred upon him under section *nine* of the Act.

(3) The Supreme Chief may remit the whole or any part of any punishment, whether of fine or imprisonment, imposed by him.

10. (1) Neither the Supreme Court nor any other court of law shall have jurisdiction to question or pronounce upon the validity or legality of any act done, direction or order given or punishment inflicted by the Supreme Chief in the exercise of his powers, authorities, functions, rights, immunities and privileges.

(2) No interdict or other legal process shall issue for the stay of any administrative act or order of any officer acting as the representative or deputy of the Supreme Chief or requiring any such officer to answer any suit or proceedings in respect of any such act or order unless the court be satisfied that *prima facie* the act or order is without lawful authority.

CHAPTER III

Tribal Boundaries

11. Tribal boundaries shall be as defined from time to time under paragraph (*a*) of sub-section (1) of section *five* of the Act and boundaries previously defined in terms of section *five* of Act No. 40 of 1896 (Natal) or any prior law shall unless and until changed or modified, be deemed to have been defined under the said paragraph.

12. A Native shall be deemed to be a member of the tribe of the chief within whose area of jurisdiction he resides; provided that when the effect of the definition of any boundary is to separate a Native from his own tribe or chief, such Native may, with the approval of the native commissioner and subject to the provisions of section *fourteen*, within two years of such definition remove to the area appointed for such tribe or chief; should he fail to do so, he shall, after the expiry of the said period of two years, be deemed to have incorporated himself in the tribe of and to be subject in all respects to the chief within whose area of jurisdiction he has remained.

13. Any Native disregarding any tribal boundary duly defined or without authority removing from the area of any tribe to and taking up his abode in that of another shall be guilty of an offence.

14. No Native shall remove his kraal from one district to another except with the approval of the Native Commissioner.

(As amended by Proclamation No. 75 of 18 May 1934).

CHAPTER IV

Chiefs and Headmen

15. The powers, authorities, duties, functions, rights and privileges of chiefs and headmen are as prescribed in the Act and the regulations framed thereunder read in conjunction with this Code.

16. (1) Chiefs and headmen are responsible for the appointment of a sufficient number of official witnesses to serve the requirements of the tribes or communities under their jurisdiction as regards the celebration of customary unions, for the due compliance by the members of such tribes or communities with the regulations relating to such unions and for the due notification to the native commissioner by the official witnesses of all such unions.

(2) A chief or headman may with the approval of the native commissioner terminate the appointment of any official witness falling under his jurisdiction and when so directed by the native commissioner must terminate any such appointment.

17. (1) Chiefs are responsible for the appointment of a sufficient number of chief's deputies for sections of their tribes, such appointments being subject to the approval of the native commissioner.

(2) For the purposes of section *twelve* of the Act the term " chief " shall be deemed to include a chief's deputy.

(3) A chief may with the approval of the native commissioner terminate the appointment of any chief's deputy in respect of any section of his tribe and when so directed by the native commissioner must terminate any such appointment; provided that the appointment of any chief's deputy, who has been authorized under section *twelve* of the Act read in conjunction with sub-section (2) of this section to hear and determine civil claims, may not be terminated except with the approval of the Supreme Chief.

18. Chiefs and headmen have authority to require compliance by the people under their jurisdiction with their duties under native law and may give orders for that purpose. The enforcement of obedience to authority, of the duty of children to their parents and of the obligations of inmates of kraals towards their kraal heads shall in particular fall within the scope of their authority. In exercising their functions under this section chiefs and headmen may impose a fine not exceeding two pounds for any defiance or disregard of their orders.

19. (1) In carrying out or causing to be carried out the directions or orders of the Supreme Chief, chiefs and headmen act as his minor deputies and when so acting may impose a fine not exceeding two pounds for any act of defiance or of disobedience to a lawful order.

(2) Native commissioners in their capacity as deputies of the Supreme Chief have power to enquire into all acts of chiefs and headmen in their capacity as minor deputies of the Supreme Chief.

20. In exercising their lawful judicial functions, chiefs and headmen are entitled to the privileges of a court of law in respect of disobedience of their orders or contempt of court and may impose a fine not exceeding two pounds for any such offence.

21. A fine imposed by a chief or headman under the provisions of this Code shall for the purposes of appeal and recovery be regarded as a fine imposed in the exercise of jurisdiction under section *twenty* of the Act. Should any such fine be not paid or recovered or be paid or recovered only in part, the person in default may be brought before the native commissioner having jurisdiction, who after due enquiry may sentence the defaulter to imprisonment for a period not exceeding one month in lieu of payment of the fine.

22. Any Native found in a chief's or headman's kraal and unable to give a satisfactory account of himself or any Native disturbing the peace within the precincts of such kraal shall be guilty of an offence and may be arrested by order of such chief or headman and charged with the offence before the native commissioner.

23. (1) For the purposes of *general* succession as in section *one hundred and nine* defined, the heir of a deceased hereditary chief shall be the person whom the Governor-General appoints or recognises for appointment, under sub-section (7) of section *two* of the Act, as successor to the chieftainship.

(2) Before deciding whom to appoint or to recognise for appointment, under sub-section (7) of section *two* of the Act, as chief in succession to a hereditary chief, the Governor-General, should he by reason of any dispute or other circumstance deem it desirable, may cause inquiry to be made by three advisers to be appointed by him. Such advisers shall be selected by reason of their special knowledge of the language, customs and laws of the Natives and shall report to the Governor-General through the Chief Native Commissioner. They shall have all the powers conferred by law on magistrates' courts for the summoning of witnesses, their examination under oath and to compel the production of documents.

24. (1) In all cases of disputed chieftainships or succession to chieftainships, of tribal quarrels or dissatisfaction and of friction between chiefs or tribes the Chief Native Commissioner shall make enquiry personally or otherwise, as he may deem best, for the information of the Supreme Chief.

(2) In exercising his functions under subsection (1), the Chief Native Commissioner or his deputy shall have all the powers conferred by law on magistrates' courts for the summoning of witnesses, their examination under oath and to compel the production of documents.

CHAPTER V

Personal Status

25. Every Native is either a kraal head or a kraal inmate subject to the kraal head in all kraal matters.

26. Any Native may acquire property, but this right, in so far as females, minor sons and kraal inmates are concerned, is subject to the provisions of section *thirty-five*.

27. (1) A native male becomes a major in law on marriage or upon entering into a customary union, or on attaining the age of twenty-one years. For the purposes of this sub-section age may in the absence of proof be determined and recorded by the native commissioner whose decision shall be final.

(2) Subject to the provisions of section *twenty-eight* a native female is deemed a perpetual minor in law and has no independent powers save as to her own person and as specially provided in this Code.

28. (1) Any unmarried female, widow or divorced woman, who is the owner of immovable property or who by virtue of good character, education, thrifty habits or any other good and sufficient reason is deemed fit to be emancipated, may be freed from the control of her father or guardian by order of the native commissioner's court and vested with the full powers of a kraal head or with full rights of ownership in respect of any property she may have acquired and with full power to contract or to sue or be sued in her own name. Any such widow or divorced woman may in the discretion of the court be given control over the property of her minor children.

(2) Application by a woman for emancipation as in sub-section (1) provided shall be upon affidavit and motion to the court of the native commissioner having jurisdiction and upon notice to the applicant's father or guardian and the court shall grant its order thereon.

29. A minor shall not be competent to enter into a contract except with the assistance or consent, express or implied, of his guardian. A contract otherwise entered into by a minor shall not be valid or binding unless shown to be for the benefit of such minor or of the kraal to which he belongs.

30. A child born of an unmarried native woman becomes a member of the house of the mother of such woman and is subject to the kraal head. In the event of a subsequent customary union between the parents of such illegitimate child, it becomes a member of the house established by the union.

31. A child born of a married woman during the subsistence of a customary union entered into by her ranks as a child of the house of such married woman.

32. (1) (*a*) A child born of a widow becomes a member of the family of such widow's deceased husband.

(*b*) A child born of a divorced woman within ten months of her divorce becomes a member of the family of such woman's previous husband.

(*c*) A child born of a divorced woman after the lapse of ten months from the date of her divorce becomes a member of the family of such woman's father or guardian.

(2) Notwithstanding anything in sub-section (1) in the event of a subsequent customary union between the parents of a child born of a widow or divorced woman after the lapse of ten months from the date of her becoming a widow or of her divorce, as the case may be, such child becomes a member of the house established by the union.

CHAPTER VI

Kraal Heads

33. The head of a kraal is such by virtue of being either—

(*a*) the owner thereof; or

(*b*) the guardian during the minority of the heir in accordance with the provisions of section *forty-six*; or

(*c*) the guardian appointed by the native commissioner or the Chief Native Commissioner under the circumstances described in sections *forty-seven* and *forty-eight*.

34. (1) In the case referred to under paragraph (*b*) of section *thirty-three*—

(*a*) the heir may assume control of the kraal on attaining majority in accordance with the provisions of section *twenty-seven* or otherwise at such time as the native commissioner or the chief may determine ;

(*b*) the kraal head administers the general estate during the minority of the heir and also such house property as may be in the kraal for the benefit of the future kraal head and house heirs respectively and is subject to the duties and responsibilities of an ordinary kraal head.

(2) In the case referred to under paragraph (*c*) of section *thirty-three* the kraal head during the period of his appointment administers the general estate and also such house property as there may be in the kraal and is subject to the duties and responsibilities of an ordinary kraal head.

35. (1) A kraal head is entitled to the earnings of his minor children and to a reasonable share of the earnings of the other members of his family and of any other kraal inmates. Such earnings are to be utilized by him primarily for the maintenance and benefit of the houses providing them and for general kraal purposes.

(2) While a kraal head is allowed a wide discretion in disposing of the earnings referred to in sub-section (1) it is not permissible for him to benefit one house at the expense of another.

(3) A kraal head acting unreasonably in the exercise of his rights under this section may be restrained by the native commissioner or the chief.

36. The kraal head is the owner of all kraal property in his kraal. He has charge, custody and control of the property attaching to the houses of his several wives and may in his discretion use the same for his personal wants and necessities, or for general kraal purposes or for the entertainment of visitors. He may use, exchange, loan or otherwise alienate or deal with such property for the benefit of or in the interests of the house to which it attaches, but should he use property attaching to one house for the benefit or on behalf of any other house in the kraal an obligation rests upon such other house to return the same or its equivalent in value.

37. It is the duty of the kraal head to keep distinct the estates of the various houses in his kraal and to settle all disputes in regard thereto.

38. The inmates of a kraal irrespective of sex or age are in respect of all kraal matters under the control and owe obedience to the kraal head.

39. A kraal head is responsible to his chief and to the Supreme Chief for the good conduct of the inmates of his kraal and acquires rights and incurs obligations under contracts entered into by the inmates of his kraal when acting with his authority express or implied.

40. Notwithstanding anything to the contrary in any other law, a kraal head may within the precincts of his kraal summarily arrest any person defying his authority or disturbing the peace or committing or reasonably suspected of committing or attempting to commit any crime or offence against person or property. Any person so arrested must be handed over without delay to the native commissioner or to a police officer to be dealt with according to law.

41. A kraal head may inflict reasonable, but not excessive, corporal punishment upon the inmates of his kraal for the purpose of correction and to maintain peace and order therein.

42. The powers and privileges of a kraal head may by order of a native commissioner's court be vested in a woman in accordance with the provisions of section *twenty-eight*.

43. (1) A kraal head may appoint some fit and proper person to act as kraal head during his absence and a person so appointed shall during the period of his appointment be in the same position as a kraal head for the purposes of this Code. In default of any such appointment, the heir, or should the heir be a minor, his guardian, shall take charge of the kraal during the absence of the kraal head.

(2) During the absence of a kraal head, a woman may, with the written authority of the native commissioner first had and obtained, take all such steps, including the institution of legal proceedings without the assistance of her guardian as may be necessary to protect the property of the absent kraal head or of minor inmates.

CHAPTER VII

Guardianship

44. (1) Under native law a father is the natural guardian of his legitimate minor offspring.

(2) The natural guardian of an illegitimate minor is the head of the house to which such minor belongs.

(3) The natural guardian of a married woman is her husband.

(4) The natural guardian of a widow is the head of the kraal to which she belongs.

(5) The natural guardian of a divorced woman is the person who would have been her guardian had she remained unmarried.

45. In the event of the natural guardian of any minor being dead or being incapacitated, whether by insanity, idiocy, imprisonment or otherwise, for a period in excess of a year the guardianship of such minor shall devolve upon the head of the kraal to which such minor belongs.

46. (1) If upon the death of a kraal head other than a chief the heir is too young to assume the position, the kraal falls under the temporary care of the eldest surviving paternal uncle or paternal grandfather of the minor heir provided that should occasion require the native commissioner may, in the exercise of his administrative functions under this Code, appoint any other suitable person to be the guardian of the heir and to take charge of the kraal.

(2) If upon the death of a kraal head being a chief, the heir is too young to assume the position, the Chief Native Commissioner shall appoint some suitable person to be the guardian of the heir and to take charge of the kraal.

(3) Guardianship under this section terminates upon the heir assuming the control of the kraal as in section *thirty-four* provided.

47. If a kraal head be sentenced to a term of imprisonment in excess of a year or be absent from the Province for longer than a year, without providing for the management of his affairs, and there be need for the appointment of a guardian to take charge of his kraal, the native commissioner in consultation with the chief of the Native so imprisoned or absent, or if such kraal head is a chief, the Chief Native Commissioner may appoint a guardian who shall be responsible for the due and faithful care, custody and general administration of the kraal.

48. A kraal head or guardian charged with the custody of any person or property, against whom complaint is made of having acted foolishly or prodigally in respect of such person or property and who upon enquiry by the native commissioner is found to be unfitted for his position may be suspended therefrom and such person or property may be placed under the guardianship of some other person by the native commissioner, or, if such kraal head is a chief or such guardian has been appointed by the Chief Native Commissioner, by the Chief Native Commissioner.

49. Complaints under section *forty-eight* may be made by any person, male or female, who has an interest in the matter and shall be dealt with administratively.

50. (1) Any person assuming or having been appointed to the guardianship of a minor shall be responsible for the due and faithful administration of such minor's estate and may be required to furnish such security as the native commissioner may deem necessary or advisable.

(2) Any person who is the subject of guardianship in respect of either his person or his property may bring an action against his guardian without the assistance of a *curator ad litem* unless the court otherwise directs.

51. Any guardian who institutes legal proceedings on behalf of a person or estate under his guardianship without the permission of the native commissioner first had and obtained may be ordered by the court to bear the costs of the proceedings.

52. (1) Guardians may claim reasonable remuneration for care and diligence exercised in the management of affairs committed to their charge. In the event of a dispute such remuneration shall be fixed by the native commissioner.

(2) When guardians have been required to maintain children at their own expense, it is usual to allow a beast for each child, but the native commissioner may allow such additional remuneration as he may consider fair and reasonable.

53. Any person claiming as guardian the custody of a minor may make application therefor to the native commissioner who is empowered, after due enquiry, to make such order as he may deem just and equitable.

54. Any parent or guardian may inflict reasonable, but not excessive, corporal punishment upon any child or ward under his care for the purpose of correction.

55. No person may be compelled to assume the position of guardian against his wish.

56. Destitute minors rank as wards of the Supreme Chief in his capacity as Upper Guardian.

CHAPTER VIII

Customary Unions and Cognate Unions

A. *Customary Unions.*

57. (1) A customary union is a civil contract entered into by and between the intending partners, subject to the essential requirements of this Code, and endures until the death of the first dying unless earlier dissolved by a competent court of law.

(2) Polygamous customary unions are recognised.

(3) Notwithstanding anything in any other law, any customary union as defined in the Act entered into between Natives in Zululand either prior to the application of this Code to that Territory or thereafter until the requisite official witnesses shall have been appointed shall be deemed to be valid and shall for all purposes be regarded as a customary union under the provisions of this Code.

(4) Nothing in this section contained shall be deemed to affect the operation of sections *thirteen*, *fourteen* and *fifteen* of Law No. 46 of 1887 (Natal).

58. A customary union is not prohibited between—

(*a*) a man and his wife's sister; or

(*b*) a widow or divorced woman and her late husband's brother.

59. (1) The essentials of a customary union are—

(*a*) the consent of the father or guardian of the intended wife, which consent may not be withheld unreasonably;

(*b*) the consent of the father or kraal head of the intended husband should such be legally necessary;

(*c*) a declaration in public by the intended wife to the official witness at the celebration of the union that the union is with her own free will and consent.

(2) Notwithstanding anything in sub-section (1) the consent of her father or guardian is not required in respect of the entrance into a customary union of an emancipated female with the status of a kraal head, but this sub-section shall not be construed as prejudicing the claim of any person entitled to the *lobolo* payable in respect of such emancipated female by her intended husband.

(3) The consent of his father or kraal head is not required in respect of the contracting of a customary union by a native male who has attained majority or is otherwise under the provisions of this Code capable of entering into contracts on his own behalf.

60. The native commissioner may administratively investigate any complaint that a father, guardian or kraal head has unreasonably withheld his consent to a proposed customary union and should he, as the result of such investigation, be satisfied that no just impediment exists, he may authorise the union to proceed and may make such order regarding the payment of *lobolo* as he may deem just.

61. When a customary union has been arranged, the kraal head of the parties concerned shall report the day fixed for the celebration of such union to the chief or the chief's deputy or the headman who shall direct the official witness to attend at the time and place of the celebration.

62. The official witness shall at an early stage of the ceremony publicly ask the woman whether it is of her own free will and consent that she is about to enter into the customary union with the intended husband. Should the woman decline to announce her consent, declare her dissent or otherwise appear to be unwilling to proceed with the intended union, the official witness shall forthwith prohibit any further proceedings in connection with the ceremony, shall, if necessary,

take the woman under his protection and shall forthwith report the matter to the native commissioner.

63. At a convenient time during the ceremony the bridegroom, or his father, or his kraal head, or other person who has contributed the *lobolo* in respect of the union shall publicly declare to the official witness the source or sources from which the *lobolo* was taken or obtained, in order then and there to ascertain and determine the following particulars with a view to their being subsequently recorded in the register referred to in section *sixty-four*—

(*a*) the *lobolo* payable to and actually received by the party entitled thereto;

(*b*) the source from which the lobolo was obtained;

(*c*) where liability has been incurred in respect of the *lobolo* paid, the name of the person or the house to which it is to be re-paid and the manner of re-payment;

(*d*) where any balance of *lobolo* is still owing, the time when and the manner in which it is to be paid;

(*e*) if no *lobolo* has been paid, the nature of the agreement by which the obligation, if any, is to be discharged;

(*f*) if there is to be an affiliation of the wife, the name of the woman to whose house she is being affiliated and the purpose of such affiliation;

(*g*) if the union is to be an *ukuvusa*, the name of the deceased and the purpose for which such union is being contracted.

64. A register of customary unions shall be kept in the office of the native commissioner in the form prescribed in Annexure "A" to this Code and shall be open at all convenient times for inspection, free of charge, by any person interested in any entry therein.

65. (1) The official witness shall within one month after the celebration of any customary union witnessed by him attend at the office of the native commissioner with the partners, together with their fathers or guardians, or their representatives where necessary, for the registration of such union; and it shall be the duty of the official witness and of any person attending with him at the office of the native commissioner to furnish all the information required to complete such registration in due and proper form. The partners shall be required to sign the register after the entries made therein have been explained to them.

(2) The native commissioner may order the registration with or without the appearance of the partners or their representatives of any customary union that has not been registered.

66. The partners to a customary union shall upon due registration of the union each be furnished by the registering officer, free of charge with a certificate of the union in the form prescribed in Annexure "B" to this Code.

67. Any payment of *lobolo* made subsequently to the registration of a customary union may be recorded in the register referred to in section *sixty-four* in the presence of the parties interested or their representatives.

68. The accuracy of any entry in a register of customary unions relating to any obligation upon a house created by or at its establishment may be impeached before the native commissioner in the presence of the parties interested by any person having a direct interest in such entry within one year after such person becomes cognisant thereof but not thereafter.

69. Any person who makes or causes to be made, for the purpose of entry in the register of customary unions, any false statement or declaration regarding any matter relating to an obligation upon a house arising from or created by a customary union shall be deemed to be guilty of an offence.

70. Registration of a customary union in a register of customary unions shall be accepted as conclusive evidence of that union and such registration may be proved by the production of the register or of a copy of the relative entry therein certified by the officer having custody of such register.

B. *Cognate Unions.*

71. The essentials of *ukungena* are—

(*a*) that the union be contracted for one or other of the purposes specified in the definition of *ukungena* under section *one ;*

(*b*) that the union be entered into with the free consent of the woman ;

(*c*) that it be a family arrangement entered into with the approval of the family head, and, in the case of a chief, where the raising of an heir to the chieftainship is involved, with the sanction of the majority of the tribe ;

(*d*) that no *lobolo* be paid in respect of the union.

72. The offspring of an *ukungena* rank as if they were in fact children of the deceased husband.

73. An *ukungena* may at any time be dissolved by either party.

74. An *ukuvusa* is recognised as a customary union for the purposes of sections *fifty-seven* to *seventy* inclusive of this Code.

75. The effect of *ukuvusa* is to create a separate and entirely independent estate in the name of the deceased.

CHAPTER IX

Divorce and Annulment of Customary Unions

76. (1) An action for divorce in respect of a customary union may be maintained by either partner on any of the following grounds :—

(*a*) Adultery on the part of the other partner.

(*b*) Continued refusal on the part of the other partner to render conjugal rights.

(*c*) Wilful desertion on the part of the other partner.

(*d*) Continued gross misconduct on the part of the other partner.

(*e*) That the other partner is undergoing a term of imprisonment of not less than five years.

(*f*) That conditions are such as to render the continuous living together of the partners insupportable or dangerous.

(2) The wife of a customary union may in addition maintain a suit for divorce from her husband by reason of—

(*a*) gross cruelty or ill-treatment on the part of the husband ;

(*b*) accusations of witchcraft or other serious allegations made against her by the husband.

77. A declaration of nullity in respect of a customary union may be applied for and obtained by, or on behalf of, either partner on any of the following grounds :—

(*a*) insanity of the other partner at the time of the celebration of the union ;

(*b*) impotence or other permanent physical defect on the part of the other partner preventing consummation of the union ;

(*c*) the absence of any of the essentials of a customary union as set forth in section *fifty-nine ;*

(*d*) the fact that the woman was at the time of the celebration of the union the wife by marriage or the partner under a customary union of another man ;

provided that a declaration of nullity in respect of a customary union on the ground of the insanity of one of the partners shall not be obtainable unless the fact of such insanity was unknown to the other partner at the time of celebration of the union and unless the action be instituted within a reasonable time after the celebration of the union.

78. (1) A wife who seeks divorce shall on leaving her husband's kraal forthwith seek the protection of her father or other person, hereinafter referred to as "the protector," who would have been her guardian had she remained unmarried, which protection may not be withheld; and upon her declaring her refusal to live with her husband and her intention to seek divorce her father or protector shall as soon as practicable attempt to reconcile the partners and should he fail to effect a reconciliation he shall accompany the wife to the court of the native commissioner to institute proceedings for a divorce.

(2) In the case of a wife seeking divorce who has no father or protector or whose father or protector is absent or refuses to assist her, the court of the native commissioner may upon her application or upon notification of the facts appoint a *curator ad litem* for the purposes of her

case and the person so appointed shall act in accordance with sub-section (1).

(3) A husband who seeks divorce must notify his intention to the father or protector of the wife who shall as soon as practicable attempt to reconcile the partners and should he fail to effect a reconciliation the husband may proceed to the court of the native commissioner to institute proceedings for a divorce.

79. A woman suing for divorce must be assisted in the action by her father, protector or by a *curator ad litem* appointed under sub-section (2) of section *seventy-eight*.

80. In any action for the restitution of conjugal rights or in the alternative an order of divorce, in which a claim to the return of *lobolo* is advanced by the husband, he must cite in addition to the wife her father or protector.

81. The dissolution of a customary union by divorce, except when decreed at the suit of a wife by reason of the wrongful acts, misdeeds or omissions of the husband, must be accompanied by the return of at least one beast or its equivalent by the father or protector of the woman to the husband.

82. Upon the dissolution of any customary union the children are regarded as belonging to the father, but the court may make such orders as to their custody and maintenance as may be just and expedient.

83. When granting any decree of divorce the court shall give clear and explicit orders and directions as to the matters following —

(*a*) that the woman shall be under the guardianship of her father or protector and that she reside at such guardian's kraal or at such other place as the court may direct ;

(*b*) the custody of the young children of the union, and any necessary provision for their maintenance ;

(*c*) the number of cattle, if any, to be returned by the woman's father or guardian to the husband.

84. In decreeing the nullity of any customary union, the court shall order the return of the *lobolo*, together with the actual increase of the cattle, and shall make such order as to the refund of the actual expenses, including the *ngqutu* beast, incurred in connection with the union, as it may deem just.

CHAPTER X

Lobolo

85. (1) In the absence of any agreement to the contrary the *lobolo* in respect of a customary union is payable on the day of the celebration of such union. Any cattle delivered before that day shall be regarded as " sisa " cattle and any increase or decrease of such cattle prior to the day of celebration shall be to the profit or loss, as the case may be, of the person by whom or on whose behalf delivery was effected.

(2) Should any of the *lobolo* cattle die within fourteen days of the celebration of the union or of delivery, whichever be the later date, such cattle shall, if their death be duly reported, be replaced by the person by whom or on whose behalf delivery was effected.

86. *Lobolo* shall consist of fair average cattle or their equivalent in other stock or property and for the purposes of any dispute the value of each head of *lobolo* cattle shall be regarded as five pounds ; provided that the Supreme Chief may by proclamation vary this assessment from time to time.

87. (1) The *lobolo* for a girl or woman who is a ward is determined according to the rank or position of her father or guardian and is determined by agreement, but shall not be in excess of the scale prescribed in the following table :—

For a woman who is the daughter of	Maximum number of cattle as *lobolo*
(*a*) A chief	No limit.
(*b*) The son, brother or uncle of a chief	15 head.
(*c*) A headman, chief's deputy or official witness	15 head.
(*d*) Any other native	10 head.

(2) In any case of doubt the *lobolo* must not exceed ten head of cattle or their equivalent.

(3) The *lobolo* payable in respect of a divorced woman or widow upon her entering into a customary union shall in case of dispute be determined by the native commissioner but shall not exceed

five head of cattle or their equivalent in the case of a divorced woman if by reason of the misdeeds of her former husband no cattle were returned upon the divorce.

(4) The *lobolo* agreed upon and the manner of payment shall be entered in the register of customary unions.

88. Any person receiving *lobolo* in excess of the scale prescribed in section *eighty-seven* shall be guilty of an offence.

89. When a widow enters into a customary union, the *lobolo* in respect of the union is payable to the house to which she belonged in the kraal of her deceased husband.

90. The person to whom *lobolo* is delivered, or in case of his death the heir of the house receiving the *lobolo*, is bound, by the receipt thereof, should just occasion require, to protect and give asylum to the woman in respect of whom such *lobolo* was delivered.

91. (1) Younger sons are usually assisted by the kraal head in paying the *lobolo* for their first wife and younger brothers are usually assisted by the eldest brother or heir to their house with the approval of the kraal head.

(2) The rendering of such assistance as is referred to in sub-section (1) is not enforceable at law but where it can be shown that a younger son or brother has consistently contributed towards the support of his house under an agreement that he would be provided with *lobolo* or a portion thereof for a wife, the refusal or failure of the kraal head, eldest brother or heir, as the case may be, to implement such agreement will entitle such younger son or brother to recover a reasonable portion of the earnings so contributed by him.

92. (1) Assistance rendered by a kraal head from kraal property to any son in obtaining a wife by contributing the whole or portion of the *lobolo* is a gift and creates no liability to the *indhlunkulu* unless it be clearly stipulated to the contrary at the time of the celebration of the union.

(2) Where house property is used for the purpose indicated in sub-section (1) an obligation rests upon the house established by the union to make a refund.

(3) Where kraal property is used for *lobolo* by a kraal head for the purpose of establishing a house in his kraal, no liability rests upon the house so established for the return of such property unless it be clearly stipulated to the contrary at the time of the celebration of the union.

(4) Where house property is used for the purpose indicated in sub-section (3) an obligation rests upon the house so established to make a refund.

(5) Any such stipulation as is referred to in sub-section (1) or sub-section (3) may be recorded in the register of customary unions.

(6) Any liability arising under the circumstances referred to in this section shall, in the absence of any express agreement to the contrary, be liquidated from the *lobolos* of the daughters of the house established by the relative customary union and the heir of such house continues to be liable until the debt is discharged.

93. (1) Claims for the recovery of *lobolo* shall be recognised in Natal and Zululand, provided, however, that such recognition shall not extend to any claim arising out of a customary union contracted in Natal proper prior to the third day of November, 1909.

(2) Any agreement made for the payment of *lobolo* in respect of the daughter of a chief's deputy being within the scale prescribed by section *eighty-seven* and entered into prior to the application of this Code to Zululand, shall, notwithstanding anything in the Native Code of 1878, be regarded as valid and binding and any payments made thereunder shall not be disturbed.

94. (1) Should a woman die within twelve months of her having entered into a customary union without having surviving issue of the union, a portion of the *lobolo* not exceeding one half of the number of cattle delivered in respect of the union may, in the discretion of the Native Commissioner, be recovered. Should there be surviving issue of the union no *lobolo* shall be recoverable.

(2) Claims under sub-section (1) shall not be retrospective in Zululand.

95. (1) No claim to payments known variously

as *vulamlomo*, *ubikibiki*, *ihlawulo*, *mnyobo*, *iqaqamazinye*, *izikwehlela* and the like in respect of any proposed customary union shall be recognised and where such payments have been made the native commissioner may direct that they be included as part of the *lobolo* or that they be refunded to the party or parties making them.

(2) Such payments as are referred to in subsection (1) may, if the proposed union does not take place, be recovered by the party making them.

96. (1) Upon a woman entering into a customary union for the first time, the *ngqutu* beast may, in addition to *lobolo*, be claimed, unless it has already been paid by the husband in respect of the woman's seduction or unless the woman has previously been seduced by some person other than the husband.

(2) The *ngqutu* beast is payable to the woman's mother, if alive, and, together with its increase, becomes her property, to be dealt with by her for the benefit of her house or as she may deem fit, and may not be attached except for her personal debts.

(3) If the woman's mother is divorced at the suit of her husband or through no fault on the part of her husband wilfully deserts or abandons his kraal, her right in and to the *ngqutu* beast ceases and determines and it becomes the property of the house to which she belonged.

(4) If the woman's mother be not alive the *ngqutu* beast is payable to the house to which she belonged and together with its increase becomes the property of that house.

(5) The *ngqutu* beast is not regarded as *lobolo* for the purposes of section *eighty-seven* and is not recoverable upon dissolution by death or divorce of the customary union in respect of which it was paid.

CHAPTER XI

The Kraal Family System

97. (1) (*a*) Whenever a customary union is contracted by a kraal head a house, which, subject to the provisions of paragraphs (*b*) and (*c*), is either a senior or an affiliated house, is established for the wife of the union.

(*b*) Except as provided in paragraph (*c*), there are not more than two senior houses in a kraal, to one or other of which the remaining houses are affiliated either by the automatic operation of the essential principle governing affiliation, namely, that a junior house becomes affiliated to the senior house which provides the *lobolo* for the wife of such junior house, or by public declaration by the kraal head at the time of the celebration of the union.

(*c*) In the kraals of chiefs and others of rank, influence or wealth there may be three senior houses, to one or other of which the remaining houses in the kraal are affiliated, as indicated under paragraph (*b*).

(2) A kraal may in addition to the houses of the kraal head's various wives contain those of relatives of the kraal head and also foreign houses on sufferance. A poor relation married or single may have his house and property in the kraal. A destitute Native may, for services rendered to the kraal, receive in return the use of a certain number of cattle and the right to occupy a house in the kraal. The house of any such Native would occupy an inferior position in the kraal.

(3) In the absence of affiliation, the various houses in a kraal are distinct from and independent of each other and each may acquire its own property and property rights.

98. With Natives other than hereditary chiefs the first wife is the chief wife and her house is the *indhlunkulu*; provided that the Supreme Chief may grant permission to a Chief, other than a hereditary Chief, to assume a chief wife subsequent to any prior customary union and upon the granting of such permission, any wife by such prior customary union shall lose the status which she held by virtue of the operation of this section or sections *ninety-nine*, *one hundred*, *one hundred and one* or *one hundred and two*, and all rights flowing to herself or her children from such status; and thereupon the provisions of subsections (1), (2) and (3) of section *one hundred and four* shall *mutatis mutandis* apply in such case.

(as amended by Proclamation No. 75 of 18 May 1934).

99. (1) As regards wives taken by a commoner subsequent to the first their status and that of

their houses depend upon whether or not any formal pronouncement or declaration of status is made by the kraal head at the time of the celebration of the customary union.

(2) If no such formal pronouncement is made, the second wife ranks next to the chief wife and her house becomes a senior house ranking next to the *indhlunkulu*, houses established by subsequent customary unions becoming affiliated to the *indhlunkulu* or the other senior house as indicated in paragraph (*b*) of sub-section (1) of section *ninety-seven*.

100. (1) A formal pronouncement or declaration of status at the time of the celebration of a customary union is made in pursuance of the intention of the kraal head to divide his kraal into sections, of which there may be four, though in actual practice, except in the case of chiefs and others of rank, influence or wealth, there are seldom more than two.

These sections are :—

A. The *indhlunkulu* section—composed of the *indhlunkulu* with its affiliated houses.

B. The *ikohlo* section—composed of the *ikohlo* with its affiliated houses.

C. The *iqadi* section—composed of the *iqadi* with its affiliated houses.

D. An inferior section—composed of the houses of poor relations and strangers which are usually placed in an inferior position in the kraal.

(2) The children of any woman whose status has been formally pronounced or declared as indicated in sub-section (1) shall not be affected in their status or rights by the subsequent divorce or death of such woman.

101. (1) When the kraal head takes a second wife and upon the celebration of such customary union makes a formal pronouncement or declaration as to her status and that of her house, such usually takes the form of declaring her the chief *kohlo* wife and establishing the *ikohlo*.

(2) The houses established by customary unions contracted by the kraal head subsequent to establishment of the *ikohlo* are usually affiliated either to the *indhlunkulu* or the *ikohlo*, in accordance with the essential principle governing affiliation or by public declaration by the kraal head at the time of celebration of the union.

102. A kraal head upon taking his third or any subsequent wife may declare the establishment of the *iqadi* with the woman as chief *qadi* wife and in this event houses established by subsequent customary unions contracted by the kraal head must be affiliated to either the *indhlunkulu*, the *ikohlo* or the *iqadi* in accordance with the essential principle governing affiliation or by public declaration by the kraal head at the time of celebration of the union.

103. (1) An affiliated junior house is identified and grouped with the senior house to which it is affiliated, but affiliation of itself does not affect the property and property rights of the affiliated house.

(2) An affiliated house *etulas* to the senior house to which it is affiliated.

104. (1) The status of the wives of a hereditary chief in charge of a tribe is not declared until after the assumption by the chief of his chief wife who is usually taken later in life than the first and second wives.

(2) The *lobolo* of the chief wife of a hereditary chief is usually contributed wholly or in part by the tribe and her status is publicly announced.

(3) (*a*) A chief is required, upon the assumption of his chief wife, to report to the Chief Native Commissioner or to the native commissioner of the district the names of his various wives and the status of each.

(*b*) A chief is required promptly to report to the Chief Native Commissioner or to the native commissioner of the district the birth of the first-born son of his chief wife, and, in the event of such son predeceasing him, his death.

(*c*) Any report made under paragraph (*a*) must be recorded and attested by the officer to whom it is made and must be subscribed to by the chief or his duly authorised representative in the presence of at least two witnesses. Any such report must be treated as strictly confidential but if made to a native commissioner must be transmitted by him to the Chief Native Commissioner.

4) In the event of a hereditary chief who is the husband of several wives dying without having

taken his chief wife, it is the duty of the elders of the tribe to assemble and confer status upon the widows, appointing the chief wife and determining the *ikohlo*, the *iqadi* and junior houses or in other customary and lawful manner fixing the rank of each house.

105. (1) A kraal head may at any time, subject to any regulations regarding the erection of kraals or buildings, separate and divide the various sections of his kraal into sub-kraals.

(2) Any such separation or division as is in sub-section (1) referred to in no way impairs the control, direction, rights or authority of the kraal head, who during his lifetime is the responsible head and sole authority equally in his kraal or in the sub-kraals created by such separation or division.

106. (1) Any major inmate of a kraal may, after notifying the kraal head and the chief, leave the kraal, and, subject to any regulations regarding removals and the erection of kraals or buildings, establish his own separate and independent kraal in the same or any other district or may attach himself to and become an inmate of some other kraal.

(2) A disinherited male may establish his own kraal or with the approval of the head of such kraal attach himself to and become an inmate of some kraal other than that of the kraal head who disinherited him.

107. When a girl enters into a customary union her father may give her goods or cattle and such become the property of and belong to the house established by such union.

CHAPTER XII

Inheritance and Succession

108. (1) Kraal property and personal property may be devised by will.

(2) House property may not be devised by will and upon the death of the kraal head any such property must devolve and be administered under native law.

109. Subject to the provisions of sections *twenty-three* and *one hundred and seventeen*, under native law succession, which may be either *general*, that is succession to the status and position of kraal head and to such kraal property as has not been devised by will, or *special* that is succession to house property, follows the rule of primogeniture and devolves upon and through males only.

110. Subject to the provisions of section *twenty-three* upon the death of a kraal head, whose kraal has been divided into sections as in section *one hundred* described, the heir to his position as head of the main kraal, to the kraal property, if such has not been devised by will and otherwise falls in terms of section *twenty-three* of the Act and the regulations framed thereunder to be administered under native law, and to the property of the *indhlunkulu* shall be determined in accordance with the following table:—

(*a*) The eldest son of the *indhlunkulu* or if he be dead such eldest son's senior male descendant.

(*b*) Failing such eldest son or any male descendant through him, the second son of the *indhlunkulu*, or if he be dead his senior male descendant and so on through the sons of the *indhlunkulu* and their male descendants in due order of seniority.

(*c*) If there be no son or male descendant of any son of the *indhlunkulu* the eldest son of the house first affiliated to the *indhlunkulu* or his senior male descendant and so on through the sons of such first affiliated house and their male descendants in due order of seniority.

(*d*) If there be no son or male descendant of any son of the house first affiliated to the *indhlunkulu* the eldest son of the house second affiliated to the *indhlunkulu* or his senior male descendant and so on through the sons of such house and their male descendants in due order of seniority and through the various affiliated houses in the order of their affiliation.

(*e*) If there be no heir in the *indhlunkulu* or in any house affiliated thereto, recourse will be had to the *iqadi* for a general heir and thereafter to the affiliated *qadi* houses in order of their affiliation to the *iqadi*. If there be no heir in any *qadi* house, recourse will be had to the *ikohlo* with subsequent recourse to the affiliated *kohlo* houses in the order of their affiliation.

(*f*) If there be no heir in the *iqadi* or *ikohlo* sections of the kraal, the father of the deceased, or if he be dead, the kraal head's eldest brother of the same house or his senior male descendant and so on through the brothers of that house and their male descendants in order of seniority.

(*g*) If there be no brother of the deceased of the same house or male descendant of any such brother, the deceased's eldest brother of the allied or affiliated house of higher rank or next rank as the case may be or his senior male descendant and so on through the brothers of such allied or affiliated house and their male descendants in order of seniority and thereafter through the brothers of the remaining houses in order of rank and their male descendants.

(*h*) If there be no brother of the deceased or male descendant of any brother of any house, the paternal grandfather and failing such the foregoing principles shall in like manner be applied until the male lines of next-of-kin, both collaterals and ascendants, are exhausted.

111. Upon the death of a kraal head whose kraal has not been divided into sections as in section *one hundred* described, the heir to his position as such, to the kraal property, if such has not been devised by will and otherwise falls in terms of section *twenty-three* of the Act and the regulations framed thereunder to be administered under native law, and to the property of the *indhlunkulu* is determined in accordance with the principles laid down in section *one hundred and ten* save that in such a case there is no *iqadi* or *ikohlo* and the senior houses rank according to priority of their establishment with the result that if there be no heir in the *indhlunkulu* or in any house affiliated thereto, recourse is had to the next senior house and its affiliated houses in the order of their affiliation and so on.

112. (1) Upon the death of a kraal head the property, rights and claims of the various houses remain with the respective heirs thereof.

(2) Succession to the property rights and claims of any house other than the *indhlunkulu* is governed by the principles laid down in sections *one hundred and ten* and *one hundred and eleven* save that in determining the heir the particular house concerned is first excussed and thereafter the allied and affiliated houses (if any) in order of rank or affiliation before recourse is had to the *indhlunkulu* heir.

(3) When the sections of a kraal have been separated into sub-kraals as in section *one hundred and five* provided, the heirs of the various houses upon the death of the kraal head become the kraal heads of the respective sub-kraals.

113. Succession to personal property, whenever in terms of section *twenty-three* of the Act and the regulations framed thereunder such property must devolve according to native law, is governed by the principles laid down in sections *one hundred and ten* and *one hundred and eleven* save that in determining the heir the immediate family of the deceased is first excussed, then the house to which the deceased belonged and thereafter the allied or affiliated houses (if any) in order of rank or affiliation before recourse is had to the *indhlunkulu* heir.

114. In the event of there being no male heir, any property, whether kraal, house or personal property, which must in terms of section *twenty-three* of the Act and the regulations framed thereunder, devolve according to native law, reverts to the Supreme Chief and the females of the kraal or family fall under the guardianship of the Supreme Chief or of such person, being a Native, as he may appoint.

115. Notwithstanding anything in sections *one hundred and ten*, *one hundred and eleven* and *one hundred and twelve* a congenital idiot cannot rank as an heir. The support of such a person is a charge upon the house to which he belongs.

116. An heir succeeding to property, whether kraal, house or personal, becomes liable for debts in respect thereof only to the extent of the assets to which he succeeds.

117. Notwithstanding anything in any other law, when a woman, who has been emancipated under the provisions of section *twenty-eight* and

who has not contracted a marriage or a customary union subsequent to such emancipation, dies intestate or partly intestate and without issue other than daughters or illegitimate sons, so much of the property in her estate as she has not disposed of by will shall be divided equally among such children.

118. (1) (*a*) A son may be disinherited by his father on application to the chief by reason of the fact that he refuses to be controlled by his father or has by gross misconduct disgraced the family or refuses to make reasonable contribution towards the maintenance of the family, or for other good and sufficient cause.

(*b*) Such application shall form the subject of an enquiry by the chief, with due notice to the son, and an appeal shall lie from the decision of the chief to the native commissioner, whose decision shall be final.

(*c*) Where the applicant is a chef, the application shall be made to the Supreme Chief who shall deal with the application as he may deem fit.

(2) A son who is disinherited becomes absolutely without status, voice or claim in regard to the family or property of his house or father's kraal.

CHAPTER XIII

Medicine Men and Herbalists

119. Native medicine men and herbalists are known as *izinyanga zokwelapa* (those skilled in healing) and *izinyanga zemiti* (herbalists) respectively and may practise for gain if duly licensed as such but not otherwise.

120. (1) A native commissioner may in his discretion issue to any Native a licence to practise as a medicine man or herbalist when such issue is by way of renewal of a licence previously held by such person and application therefor is made within three months after the date of expiry of the previous licence.

(2) Save as provided in sub-section (1) no licence to practise as a medicine man or herbalist may, in terms of sub-section (2) of section *ninety-eight* of the Medical, Dental and Pharmacy Act, No. 13 of 1928, be issued except on the order of the Minister of Public Health.

121. The fee payable for a licence to practise as a medicine man or herbalist is three pounds and the holder of any such licence may practise as both a medicine man and a herbalist or as one or the other throughout the Province of Natal for a period of one year from the date of its issue.

122. (1) A duly licensed medicine man or herbalist may upon being consulted claim a retaining fee (*ulugxa*). Should a cure result a further fee is claimable but should the treatment be ineffective nothing more than the *ulugxa* may be demanded.

(2) No claim in respect of services rendered by a medicine man or herbalist shall be recognised in a court of law unless proof of the issue of a licence to such person be adduced.

(3) No unlicensed medicine man or herbalist may claim any fee or reward in respect of services rendered by him.

123. Gross or culpable blunders or negligence entailing bad results renders a medicine man or herbalist liable to a civil action for damages apart from any criminal charge which may be laid against him.

124. Any Native who practises as a medicine man or herbalist in contravention of the provisions of section *one hundred and nineteen* shall be guilty of an offence.

125. (1) Natives licensed as medicine men or herbalists may not assume the European title of "doctor" or "chemist" or any other designation mentioned in paragraph (*b*) of section *thirty-seven* of the Medical, Dental and Pharmacy Act, No. 13 of 1928, and may not offer or hire their services to or prescribe for or perform any operation upon a person other than a Native. Nor may they transmit by post or otherwise any newspaper, book, pamphlet, circular, poster, letter or other document to any place outside the Province of Natal, describing any of their remedies, or stating the fact that they are practising, or entitled to practise, or inviting any person to consult them or purchase their remedies or make use of their services in any way whatsoever. (As amended by Proclamation No. 250 of 21 December 1934).

(2) Natives licensed as medicine men or

herbalists may prescribe, deal in and sell native medicines only.

(3) Any Native contravening the provisions of sub-section (1) or sub-section (2) shall be guilty of an offence which, in addition to any other penalty to which he may be liable, shall involve cancellation of his licence.

126. No intoxicating liquor of any kind may be obtained by a Native under a prescription or direction of a native medicine man or herbalist, except with the written approval of a magistrate or native commissioner. Any contravention of this section shall constitute an offence.

127. A native woman may without a licence practise as a midwife for women of her own race and may make such reasonable charges for her services as may be agreed upon or as are recognised as customary.

128. The fees and earnings of a medicine woman or midwife belong to her house and she may institute action for the recovery thereof only with the assistance of her husband or guardian.

129. (1) Any native who for gain practises as a diviner (known to the Natives as *inyanga yokubula*, *isanusi* or *isangoma*) or as a rain doctor or lightning doctor, or professes a knowledge of witchcraft, or of the use of spells or charms, or advises any person to bewitch or injure persons or property, or supplies any person with the pretended means of witchcraft, shall be guilty of an offence.

(2) Any person charged under sub-section (1) may be convicted of obtaining money by false pretences.

(3) Should a licensed medicine man or herbalist be convicted of a contravention of sub-section (1) his licence shall be cancelled.

(4) The court may order the confiscation and destruction of putative spells, charms or supernatural agencies found in the possession of any person convicted of a contravention of sub-section (1).

CHAPTER XIV

Actionable Wrongs

130. Except as is expressly in this chapter otherwise provided, a wrongful act committed against any Native founds an action on the part of such Native for damages against the transgressor and in instituting such action the plaintiff need not be assisted by his kraal head, father or guardian unless he is a minor.

131. In an action for damages for slander or other injury, it is not essential for the plaintiff to claim any specific sum, the court being left to assess the amount thereof.

132. (1) Defamation of character is an actionable wrong.

(2) Every malicious statement alleging evil conduct on the part of any person constitutes defamation: provided that should any person cast an aspersion upon the character of another in the course of a heated quarrel, and within a short period thereafter publicly withdraw and publicly apologise for the same, no claim in damages will lie: provided, further, that no action for defamation will lie if the words used were addressed to any person in authority, with reference to the plaintiff or complainant, in good faith, and not with express malice.

(3) In an action for damages for defamation of character the allegations complained of shall substantially be embodied in the summons or statement of claim but the words need not necessarily include a translation.

133. Any unmarried girl whose chastity has been publicly denied, scoffed at, or impeached by any person, is entitled to damages for the slander.

134. The destruction of crops by cattle or other stock will found an action for damages against the owner or person having the custody and control of such stock, unless such damage has been caused by the contributory negligence of the owner of the crops.

135. When by reason of negligence on the part of any person in starting or failing properly to control a grass fire loss is sustained by any other person, an action for damages lies against the person responsible for such fire.

136. Trespass on cultivated land does not found an action for damages unless the trespass is accompanied by special damage.

137. (1) The seduction of an unmarried female gives rise to an action against the seducer

in damages for the *ngqutu* beast. In addition to such beast a further beast may be awarded as damages in respect of each and every child which such woman bears to the seducer; provided that should such child or children be born during the subsistence of an engagement no claim to damages shall be recognised unless the marriage does not take place; provided further that should the seducer marry the woman, payments other than the *ngqutu* beast made in respect of her seduction shall be regarded as forming part of the *lobolo*.

(2) Any person having illicit intercourse with a divorced woman or widow as the result of which a child is born shall be liable in damages to her father or guardian, such damages not to exceed one beast in respect of each child so born. In the event of a subsequent customary union between the parties any payment of damages shall be regarded as forming part of the *lobolo*.

(3) Any claim for damages in respect of the seduction of or illicit intercourse with a girl or woman is extinguished by the death of such girl or woman unless her death is due to child-birth consequent upon such seduction or illicit intercourse.

138. Any Native committing adultery with a woman living with her husband shall, irrespective of any criminal penalty, be liable in damages to the husband; provided that no action for damages shall lie in the case of connivance on the part of the husband or if at the time of the adultery the woman and her husband were not living together as man and wife.

139. Any Native suing his wife under a customary union for divorce on the grounds of her adultery may, when the other party to the adultery is known, simultaneously and in the same action sue such party for damages.

140. Any person abducting the wife, child, or ward of another or inducing the wife, child, or ward of another to leave her kraal without the consent of her husband, father or guardian, shall be liable in damages to such female's husband, kraal head or guardian, as the case may be: provided that no action will lie if the absence is only in connection with the betrothal visit of a girl to the kraal of a proposed future husband.

141. (1) A guardian is liable in respect of delicts committed by his ward while in residence at the same kraal as himself.

(2) Notwithstanding anything in section *twenty-seven* or in any other provision of this Code—

(*a*) a father is liable in respect of delicts committed by his children while in residence at the same kraal as himself;

(*b*) a kraal head is liable in respect of delicts committed by any unmarried inmate of his kraal while in residence at the kraal.

(3) Legal proceedings arising out of any delict such as is referred to in sub-section (1) or in sub-section (2) may be instituted against either the person committing the delict or such person jointly with his father, guardian or kraal head as the case may be.

142. No inmate of a kraal may sue the kraal head for damages by reason of a delict of the kraal head, but he may apply to the native commissioner to be removed from the control of the kraal head or may apply for protection in respect of his individual property or for such other relief as may be necessary.

143. The illegal or wrongful acts of a chief, headman, chief's deputy or other native official render him liable in damages to the aggrieved party who may sue upon such claim in the court of the native commissioner having jurisdiction, but not in the court of any native chief.

CHAPTER XV

Civil Procedure and Miscellaneous Provisions

144. (1) The jurisdiction and procedure of any court administering native law shall be as prescribed in the Act and the regulations framed thereunder.

(2) Nothing in this Code shall be deemed in any way to affect or impair the operation of section *eleven* of the Act.

(3) Where native law is applied in any such matter as is referred to in section *eleven* of the Act, the court may take cognisance of any relevant native custom which is not opposed to the principles of public policy or natural justice,

whether or not such custom is defined and dealt with under this Code; provided that where such custom is so defined and dealt with the provisions of this Code shall prevail.

145. Native good manners and respect to authority require the observance of the following rules:—

(*a*) Every Native, on entering a court or into the presence of a chief or officer, should salute the superior officer present with uplifted right hand and uncovered head, and likewise on leaving he should salute in a similar manner.

(*b*) Persons bringing sticks or weapons into court, or into the immediate presence of chiefs or superior officers, are deemed guilty of unbecoming behaviour and may be punished for contempt.

(*c*) Inferiors always salute first, and the superior acknowledges the salute.

(*d*) While a judge or officer of the Government or chief is speaking no one may interrupt, but on conclusion of such speech any person, by invitation or permission, may shortly give an opinion on any point at issue. No such opinion may be given or remarks made after judgment has been finally pronounced.

(*e*) Upon judgment being given the parties salute the court and retire.

146. (1) Native females are not to be deemed or treated in any way as property or chattels, notwithstanding any property rights which may be connected with or arise out of customary unions entered into by them.

(2) The mere indication of a woman or girl as the source from which, through her *lobolo*, a debt or obligation is to be met shall not invalidate a contract based purely on native law and custom but this shall not apply to any other contract.

147. (1) Delivery is given and taken at the place of the party who sells, barters or is to deliver the property, unless a special stipulation to the contrary is made.

(2) Constructive delivery is recognised under native law.

148. When property has been stolen and delivered by the thief to an innocent purchaser for value, the true owner is entitled to vindicate his property against the possessor.

149. (1) Cattle or things sold by one Native to another Native are understood to be sold for cash, unless there is a special contract for credit

2. Where the sale has been for cash the seller upon failure of the buyer to pay may, at any time within one month from delivery, claim the return of the property sold from any person then in possession, irrespective of any rights such person may have. After one month the seller has merely a right of action for the price.

(3) In the absence of any special agreement to the contrary, cattle or other stock sold or bartered are taken as guaranteed to be free from latent disease, and articles sold or bartered are taken to be guaranteed to be free from latent flaw or defect.

150. (1) In the absence of any agreement to the contrary, a cow in calf is reckoned as one beast.

(2) Claims for increase of cattle and other stock shall not be allowed, except in the following cases:—

(*a*) Where it is proved that the defendant has agreed to allow increase, or admitted his liability to account for same;

(*b*) where there has been a deposit or placing of cattle, or other stock, as in cases of *sisa*;

(*c*) where guardians have used for their own purposes the cattle or other stock of their wards;

(*d*) where, after actual or constructive delivery of breeding cattle or other stock, such have been allowed to remain with the defendant; in such cases claims in respect of progeny living at the date of the action will be allowed.

(3) In claims arising out of *sisa*, the party to whom the cattle were given under *sisa* must satisfactorily account for the original number and all increase, when called upon to do so; he may not set off any deaths, unless he has proved that he notified the deaths to the owner of the cattle or

otherwise duly accounted for the same. The person with whom *sisa* cattle are placed is entitled only to the use thereof. It is customary, however, for the owner of the cattle occasionally to donate a beast from the increase to the other party, but no claim at law can be made for this without proof of a specific contract so to donate.

151. (1) Notwithstanding anything in Act No. 41 of 1908, Natal, loans as between Native and Native shall be recoverable in any competent court.

(2) Interest is unknown in native law and parties claiming interest as having accrued upon any debt or claim will have to prove a distinct contract to pay the same.

(3) No claim for interest may in any case amount to more than the principal sum in respect of which interest is claimed.

(4) When execution upon a judgment debt fails to satisfy that debt, the balance of such debt shall, till paid, bear interest at the rate of ***six per cent. per annum*** upon the value thereof.

152. (1) No Native may avail himself of or be brought under the operation of any insolvency law or regulation, to the prejudice of claims against him by any other Native, unless he is a trader as defined under the Insolvency Act, No. 32 of 1916 or any amendment thereof.

(2) Save as otherwise in this Code provided, prescription is unknown in native law and no claim arising out of native law shall be affected by the operation of any law of limitation or prescription of action.

153. (1) Sums due from or paid by the Government to chiefs and headmen by way of salary, bonus or stipend are privileged and may not be attached for debt by the process of any court.

(2) Any such salary, bonus or stipend as is referred to in sub-section (1) may be stopped, suspended or reduced for a stated period by the Supreme Chief as a disciplinary measure in the event of wrongful behaviour on the part of a chief or headman.

154. Native dwellings, commonly called huts, are deemed to be movable property.

CHAPTER XVI

Offences

A. *Offences against Public Order, Authority, Decency and Morals.*

155. Any person who disregards or defies the authority or any order of the Supreme Chief shall be guilty of an offence.

156. Any chief who summons an armed assembly of his tribe or who classes or causes to be classed the men of his tribe into companies or regiments without the permission of the Supreme Chief first had and obtained shall be guilty of an offence.

157. Any chief who is required by the Supreme Chief either directly or by a deputy or messenger of the Supreme Chief to do or refrain from doing any public act or acts, and who acts in defiance of or neglects promptly to obey such order, shall be guilty of an offence.

158. Any person who spreads any false report of a nature calculated to cause disquiet or anxiety, or affecting the Government and its acts, shall be guilty of an offence.

159. Whenever more than five persons are assembled together, from whose conduct a breach of the peace may be apprehended, the kraal head or other person in authority, may command them to disperse and upon their refusal so to do each and all of them shall be guilty of an offence.

160. (1) Any person who defies the authority of a kraal head, or enters a kraal when permission to do so has been refused, or remains in or about any kraal after being requested to withdraw, shall be guilty of an offence.

(2) Any person found concealed in or watching in or about the precincts of any kraal between sunset and sunrise and not being able to give a good account of himself shall be guilty of an offence.

161. (1) Any person, not being a member of the police, or not otherwise authorised thereto, who carries assegais, axes, knobkerries or other dangerous weapons to any feast, dance or other gathering, shall be guilty of an offence, and, in addition to any other punishment to which he may be liable, the weapons carried by him shall be confiscated.

(2) Punishment may be inflicted for any such offence as is referred to in sub-section (1) irrespective of any liability on the part of the person so offending to prosecution for taking part in any faction fight or riot.

162. (1) The following acts constitute offences :—

(*a*) the seduction of an unmarried girl ;

(*b*) the abduction of an unmarried girl ;

(*c*) enticing any female from the control or custody of her father, husband or guardian, or attempting to have or having illicit intercourse with any female ;

(*d*) adultery in respect of both males and females ;

(*e*) knowingly harbouring without just or reasonable cause the wife, daughter or ward of another after demand has been made for her return.

(As amended by Proclamation No. 75 of 18 May 1934).

(2) No voluntary and *bona fide* temporary visit of any girl to the kraal of her lover with a view to betrothal constitutes an offence on the part of such lover.

(3) Intercourse arising out of *ukungena* is neither adulterous nor illicit.

163. (1) Any native female who leads an immoral life, or is found elsewhere than at her kraal and is unable to give a good account of herself, may be arrested and brought before the native commissioner, and upon her failure satisfactorily to explain her way of living or to give a good or valid reason for her absence from her kraal, the native commissioner may order that she return to and remain at her kraal, the kraal head of which shall be bound to provide for and maintain her.

(2) Any female who neglects to obey or leaves her kraal in defiance of an order under sub-section (1) shall be guilty of an offence.

B. *Offences against the regulations regarding Customary and Cognate Unions.*

164. Any kraal head or guardian of any party to a customary union who celebrates or permits the celebration of such a union save in the presence of an official witness, or who celebrates or permits the celebration of such union after the official witness has stopped or directed the suspension of such celebration, shall be guilty of an offence.

165. Any kraal head or other person who coerces or attempts to coerce any girl or woman to enter into a union against her will shall be guilty of an offence.

166. Any misconduct or breach of duty on the part of an official witness in contravention of any provision of this Code constitutes an offence and in addition to any other punishment to which he may be liable such official witness may be summarily dismissed from his office by the native commissioner.

C. *Miscellaneous Offences.*

167. Any Native who disregards or fails to comply with any duty, obligation, direction or prohibition imposed upon him by this Code shall be guilty of an offence.

168. Any person who by natural duty is responsible for due provision of the necessaries of life for any other person and fails or neglects to provide those necessaries shall be guilty of an offence.

169. (1) Any Native who carries an assegai, sword-stick (*intyumentyu*), battle axe, stick shod with iron, or any other dangerous weapon shall, unless he is engaged upon some public duty or is a member of the police, or has been authorised in writing by a native commissioner so to do, or is engaged in hunting or in *bona fide* night travelling outside an urban area, shall be guilty of an offence and upon conviction, in addition to any other penalty to which he may be liable, the weapon or weapons may be confiscated by the court.

(2) The written authority of a native commissioner for the purposes of sub-section (1) may be granted in respect of a particular area or for the whole Province, or may be limited to a specified period or to a particular service, duty or employment.

170. (1) A kraal head shall report immediately to his chief or headman the occurrence of any serious crime or the death of any person under suspicious circumstances at or near his kraal ; and the chief or headman shall, on receiving such

report, transmit the same without delay to the native commissioner or nearest police officer.

(2) A kraal head, chief or headman who neglects or fails to comply with his duty under sub-section (1) shall be guilty of an offence.

171. Any Native who, knowing or having good reason to suspect the presence of a contagious or infectious disease among cattle under his control, fails to give proper warning of such disease to his neighbours and others interested, or who, having bought or acquired diseased cattle, drives them into or through any location or other place used by others for the grazing of cattle shall, irrespective of his civil liability for any damage or loss so caused, be guilty of an offence.

CHAPTER XVII

General Penalty

172. In the absence of any specific penalty for any offence under this Code, the court convicting any person of such offence may impose upon him a fine not exceeding ten pounds or in default of payment imprisonment for a period not exceeding three months.

ANNEXURE "A".

(FORM OF REGISTER UNDER SECTION *SIXTY-FOUR*)

REGISTER OF CUSTOMARY UNIONS CONTRACTED UNDER THE PROVISIONS OF THE CODE OF NATIVE LAW

1. No. . . . .
2. District . . . .
3. Date of registration . . . .
4. Name and surname of husband . . . .
. . . .
5. Name of husband's father . . . .
6. Chief . . . .
7. Name and surname of wife . . . .
. . . .
8. Name of wife's father . . . .
9. Condition. If divorced, name of former husband . . . .
10. Rank of wife's father . . . .
11. His chief . . . .
12. No. and rank of wife in her husband's kraal
. . . .
13. If affiliated, name of house to which she is affiliated and object of such affiliation . . . . . .
. . . .
14. If an *ukuvusa* union, the name of the deceased and purpose for which union contracted . . . .
. . . .
15. Number of *lobolo* cattle actually paid over (or their equivalent) on the date of the registration of the union . . . .
. . . .
16. Balance of *lobolo* due and conditions as to payment . . . .
. . . .
. . . .
17. Source from which *lobolo* obtained. . . . .
18. If a liability incurred in securing such *lobolo*, manner of repayment and to whom due . . . .
. . . .
19. Signature of official witness . . . .
20. Signature of woman's father or guardian. . . .
21. Signatures of partners:
(*a*). . . . . (*b*). . . . .

. . . .
Native Commissioner.

Record of subsequent *lobolo* payments:

. . . .
. . . .
. . . .

ANNEXURE "B"

(CERTIFICATE UNDER SECTION *SIXTY-SIX*.)

CERTIFICATE OF CUSTOMARY UNION

This is to certify that a customary union between. . . . . and . . . . the daughter of . . . . was registered at the office of the Native Commissioner for the District of. . . . . on. . . . .

. . . .
Native Commissioner

(Reference to folio in Register
of Customary Unions.)

. . . .

Office of the Native Commissioner.
Place. . . . .
Date. . . . .

THE WORK OF TRIBAL COURTS IN THE BECHUANALAND PROTECTORATE[1]

By I. SCHAPERA

THE PRESENT JUDICIAL SYSTEM OF THE TŠWANA

In my *Handbook of Tswana Law and Custom,* published in 1938, I described at some length the constitution and procedure of the traditional tribal courts among the Tšwana peoples of the Bechuanaland Protectorate. I referred also to the various changes in their structure that had resulted from the establishment of European political control over the Territory in 1885, and I summarized the present position as follows: "Though the tribal courts are still allowed to adjudicate according to traditional law and custom in most matters arising among the people, their constitution and functions have been legally defined; their jurisdiction in criminal offences has been greatly curtailed; provision has been made for recording the cases tried before them; and safeguards have been provided for the due administration of justice."[2]

At the time when I wrote, the Government had recently issued two Proclamations (the Native Administration Proclamation, No. 74 of 1934, and the Native Tribunals Proclamation, No. 75 of 1934), the second of which was designed to "improve" the judicial system of the tribes. The validity of the Proclamations was contested by the chiefs of the Ngwato and Ngwaketse tribes in a case heard before the Special Court of the Protectorate in July 1936; judgment was delivered in November of that year, in favour of the Government.[3] In effect, therefore, it was not until 1937 that the Proclamations came into full operation throughout the Protectorate, although some tribes had previously begun to apply them. I was consequently unable to do much more in my *Handbook* than indicate here and there the principal innovations created by the Native Tribunals Proclamation.

Since the book was published, however, I have made several more field trips to the Protectorate, and have been able to observe the functioning of the Proclamation in five different tribes (Kgatla, Ngwato, Ngwaketse, Kwena, and Tawana). I do not propose to discuss here the whole of their present judicial system. My main object is rather to describe certain features in the work of their courts. But a brief sketch of the leading changes produced by the Proclamation should be given to provide the necessary background.

The Proclamation, firstly, removes from the jurisdiction of tribal courts a variety of cases, mostly crimes.[1] All other cases, both civil and criminal, in which Natives only are concerned, can still be tried by the tribal courts according to tribal law. However, provision is made for appeal to the Court of the Resident Magistrate (now District Commissioner), and thence, under certain conditions, to the Special (now High) Court of the Protectorate. It is also laid down that any Native, who feels that the hearing of his case before a tribal court may be unduly prejudiced or delayed, can apply to have it heard in the first instance by the District Commissioner. The latter himself, moreover, can intervene and take over any case if "it is necessary in the interests of peace, or for the due prevention or punishment of violence in respect of persons or property." In both instances, his decision "shall be in accordance with Native law and custom but if such law or custom is not clearly proved or would, in the opinion of the Court, be incompatible with peace, order and good government or inapplicable to the matter before the Court the Court may determine the matter in accordance with the law of the Territory."

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[1] I am indebted to Dr. H. J. Simons for some valuable comments on the original draft on this paper.

[2] *Op. cit.*, p. 42.

[3] *Tshekedi Khama and Bathoen Siepapitso Gaseitsiwe v. The High Commissioner*. In the Special Court of the B.P., Civil cases Nos. 9 and 10.

[1] These types of cases are specified below, cf. p. 35.

In place of the many grades of court found in the old judicial system—family-group, ward, village, district, "sectional," and chief's, courts—the Proclamation recognizes only three whose decisions are legally binding. These are styled Junior, Senior, and Chief's Tribunals respectively, in ascending order of seniority. Each tribunal must have certain recognized members appointed by specified tribal authorities, subject to the approval of the Administration, and various rules are laid down to govern procedure. It is also provided that no tribunals may impose punishments of certain specified kinds.[1] Except for them, the tribunal may impose any punishment "allowed by Native law and custom," and provision is also made for them to pass sentences of imprisonment with or without hard labour, to be served in the Government gaols.

According to the latest available data, the following tribunals have been established in the tribes with which we are here concerned :

Ngwato : Chief's tribunal (in Serowe), and ten junior tribunals (four in Serowe, and six in outlying villages).

Tawana : Chief's tribunal (in Maun), and seven junior tribunals (all in outlying villages).

Kwena : Chief's tribunal (in Molepolole), and fourteen junior tribunals (five in Molepolole, and nine in outlying villages).

Ngwaketse : Chief's tribunal (in Kanye), one senior tribunal (in Moshupa), and nine junior tribunals (three in Kanye, and six in outlying villages).

Kgatla : Chief's tribunal (in Mochudi), one senior tribunal (in Mmathubudukwane), and ten junior tribunals (four in Mochudi, and six in outlying villages).

The composition of these tribunals calls for some comment. The chief's tribunal in each tribe is, as formerly, the supreme tribal court, to which appeals lie from all the rest, and from which alone appeal can be made to the Court of the District Commissioner.

Senior tribunals (one each) are found only among the Kgatla and the Ngwaketse, and are located in the second most important village of each tribe, where the chief has a special local representative. The Kgatla senior tribunal at Mmathubudukwane is a court of appeal from the junior tribunals of the neighbouring villages of Sikwane and Malolwane ; the Ngwaketse senior tribunal at Moshupa is a court of appeal only from the junior tribunal in the same village. All the other junior tribunals, in both tribes, are directly subordinate to the chief's tribunal.

In all the tribes except the Tawana, junior tribunals (as well as the chief's tribunal) are found in the tribal capital. These junior tribunals, among the Ngwato and Kwena, are the old "sectional" courts (each "section" being a recognized administrative group composed of many different wards).[1] Among the Kgatla, who have five "sections," the chief's tribunal is at the same time the court of the royal "section" (BaKgosing), and junior tribunals have been created only for the four inferior "sections." The Ngwaketse do not have a "sectional" organization, and the three junior tribunals in Kanye were specially created to represent the traditional geographical divisons of the town. The experiment has not worked satisfactorily, since the geographical divisions no longer correspond to any political reality, and in effect the junior tribunals exist largely in name only and seldom exercise jurisdiction.

The other junior tribunals in each tribe, except the Tawana, correspond to what were formerly the courts of district governors (among the Ngwato) or of the headmen of important outlying villages (among the Kwena, Ngwaketse, and Kgatla). The Tawana have only recently (1937) adopted a system of district administration like that of the Ngwato, and have followed the same practice of recognizing each district governor's court as a junior tribunal.

It will be seen from this survey that the recognized tribunals in each tribe are in effect the highest grades of court that existed in the old judicial system (except for the reservations noted among the Ngwaketse and Tawana). No place has been found in the present system for the ward courts, which formerly were of outstanding importance and actually did most of the judicial work. At the time when the Proclamation was issued, it was apparently contemplated that the ward courts would become the junior tribunals, and that the higher grades of court (village, district, or "sectional") would be the senior tribunals. The ward courts, however, were so numerous (there were over 300 among the Ngwato, 165 among the Ngwaketse, and 70 among the Kgatla) that the Administration refused to accept them all as junior tribunals, and various half-hearted attempts were made here and there to combine them into larger units before the present system became stabilized.

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[1] These punishments are listed below, cf. p. 37.

[1] On the 'sections,' cf. *Handbook of Tswana Law and Custom*, pp. 24ff., 101ff.

In fact, the ward courts still function actively in every tribe. But, since they are not recognized tribunals, their decisions are not considered legally binding by the Administration, and are looked upon simply as the awards of an arbitration court. As far as the Tšwana are concerned, however, the old judicial system continues to operate, despite the provisions of the Proclamation, and the decision of a ward court is as valid to them as in former days. Almost all litigation is still heard first in the ward courts. Sometimes a case ends there, the court's verdict being accepted as final by the parties concerned. Generally, however, the court in effect merely holds a preparatory examination, and then sends the case, with its finding, to a higher tribunal: or else an appeal is lodged against its decision. This corresponds to the practice before the Proclamation was issued.[1]

It should also be noted that the provision about appointing recognized members for each tribunal has in effect made little difference to the traditional system. The members who have been appointed are those who, under Tšwana law, are entitled to act as judges in the courts. The Proclamation provides that such members may be paid out of tribal funds. The only tribe in which this appears to be done are the Kgatla, who set aside £30 annually as "sitting fees" for members of the chief's tribunal, and £26 as payments to all the "presidents" of junior tribunals.

The main objection to the recognition of all ward courts as junior tribunals arose from another provision of the Proclamation. This is that each tribunal must keep a written record, giving the names of the parties involved in every case heard before it, the nature of the case, the judgment of the tribunal, and (where relevant) the amount of compensation awarded or fine inflicted. Considering the present standard of education among the Tšwana, it would have been impossible to find sufficient scribes for all the tribunals whose recognition was originally contemplated. Indeed, it is with great difficulty that some of the existing tribunals manage to keep records at all, especially in the outlying villages.

The practice of recording cases was not entirely new to the Tšwana. Among the Ngwaketse, Chief Seêpapitsô (1910-16) had kept a written record of all the cases that came to his court, and his son Bathoen II, on becoming chief in 1927, did so too for several years before the passing of the Proclamation. But none of the other tribes had followed the same course. Since the Proclamation was issued, however, they have all had to adopt the practice, special record books being supplied to them for the purpose by the Administration. Except among the Kgatla, who keep their records in English, all the entries are in the vernacular. They vary greatly from tribe to tribe in lucidity and detail; but on the whole succeed in giving the essential facts. The Ngwato especially have a remarkably good system, and some of their records run into more than one hundred pages of evidence.

It is with the material contained in these records that I propose to deal in this article. At each tribal capital that I visited, I went through the records of the chief's tribunal, and made a short abstract of every case that was entered. As a result, I have data about all the cases heard by the chief's tribunals among the Kgatla, Ngwato, Tawana, Kwena, and Ngwaketse, sometimes for a period of less than two years, sometimes for four or five years, according to the date of my visit and the time at my disposal. As would be expected, these records are an invaluable aid to the study of Tšwana law. I hope in the near future to publish the relevant material in the projected revised edition of my *Handbook* (the original edition of which is now out of print). Here I am concerned only with the index that the records provide to the types of cases dealt with nowadays by the tribal courts, and with such information as they yield about certain matters of procedure.

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[1] On the traditional system of legal procedure, cf. *Handbook of Tswana Law and Custom*, chap XVI.

CLASSIFICATION OF CASES

In all, I examined the records of 1,591 different cases, distributed as follows:

Ngwaketse (1910-16)	464
Ngwaketse (1928-34)[1]	277
Ngwaketse (1936-40)	176
Kgatla (1935-39)	131
Kwena (1935-38)	101
Ngwato (1937-38)	183
Tawana (1935-39)	259

For convenience, I have kept separate the three groups of Ngwaketse cases, because the first (for 1910-16) is much earlier than all the rest, and the second (1928-34), although relatively recent, belongs to the period before the Proclamation was enforced.

I would emphasize that I did not specially select cases for analysis. I went systematically through the record books of each chief's tribunal, and made notes of every case that was entered for the periods specified above. It is probable that, in the first year or two after the Proclamation was issued, some of the cases heard by the chief were not actually recorded, but on the whole there is no reason to suspect wholesale omission, and certainly the records from about 1937 onwards are well-nigh complete. It may accordingly be claimed with confidence that the cases examined by me are fully representative of the litigation dealt with now by the chief's courts in the Bechuanaland Protectorate.

In Table I, I have classified the cases roughly into groups according to the main kinds of issue involved. It will be seen that the number of separate issues is larger than the number of actual cases. This is because many a case involved two or more different issues: a case of assault, for instance, might also involve both defamation and contempt of court, and an action for divorce might involve questions of sorcery, adultery and reprehensible behaviour on the part of the husband's father, all of which would be reflected in the judgment.

As already stated, I do not propose here to analyze the cases in detail, or to show how they illuminate tribal law. Something should however be said about the classification that I have adopted. It does not pretend to be exhaustive, and could easily have been elaborated at much greater length; but my immediate concern is with the major categories of litigation rather than with every specific issue that has come to the courts.

In the first group, "Domestic and Personal Status," I have included all the cases in which the issue, or one of the issues, was the rights and duties of persons in their capacity as members of a family, ward, village, or tribe. The sub-heading, "Marriage and Divorce," embraces the various kinds of dispute between husband and wife, and anything else pertaining to the marriage relationship, e.g. the validity of betrothals and forms of cohabitation, and questions of *bogadi* (marriage cattle). "Children: Legitimacy and Status" includes all the cases involving the status of a child within its own family. "Parents: Rights and duties" embraces various forms of dispute between parents and adult children in which the issue was their respective obligations towards one another; the same principle governs the classification "Guardians: Rights and duties," except that here the relationships involved are, for instance, those of elder brother and younger brother, widow and husband's brother, and a man and dependants who are not his own children. The final sub-heading, "Membership of Tribe or Ward," embraces the few cases in which people wished to change, or had changed without permission, their tribal or ward affiliation.

The second group, "Property," does not call

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[1] Excluding the years 1931 and 1933, when no records were kept.

TABLE I

CLASSIFICATION OF CASES ACCORDING TO ISSUES INVOLVED

	Ngwaketse 1910-16	*Ngwaketse 1928-34*	*Ngwaketse 1936-40*	*Kgatla 1935-39*	*Kwena 1935-38*	*Ngwato 1937-38*	*Tawana 1935-39*	*TOTALS*
DOMESTIC AND PERSONAL STATUS:								
Marriage and Divorce	46	38	35	4	8	50	36	
Children: Legitimacy and Custody	9	4	1	2	1	1	4	
Parents: Rights and duties	16	11	13	5	—	6	2	
Guardians: Rights and duties	4	9	2	3	1	2	1	
Membership of Tribe or Ward	11	4	—	—	1	—	1	331
PROPERTY								
Ownership and Possession	30	25	2	12	13	15	44	
Inheritance	24	6	5	4	7	5	10	202
CONTRACTS								
Sale and Purchase	33	11	2	8	—	2	14	
Permissive Use	23	10	6	3	1	6	28	
Donation	7	—	—	1	1	2	2	
Services	34	25	3	8	—	5	25	260
DELICTS								
Defamation	8	12	7	1	—	2	2	
Insult	2	4	8	6	4	4	16	
Assault	36	19	14	31	24	21	24	
Seduction	8	11	4	4	3	6	6	
Adultery	4	5	2	—	—	5	19	
Damage to Property	26	11	4	8	11	8	16	
Theft	65	40	23	24	7	31	38	
Sorcery	26	28	6	2	3	15	5	
Rape	2	3	—	—	1	1	—	726
PENAL OFFENCES								
Political misdemeanours	9	11	17	16	4	16	9	
Contempt of court	14	14	27	31	6	—	5	
Statutory and miscellaneous offences	50	17	49	4	27	9	12	347
								1,866

for much comment.[1] Under " Ownership and Possession " I list all disputes about the rightful ownership of property held by one of the litigants and claimed by the other, whether that property be land, livestock, household goods, or something else. Under " Inheritance " I include both the distribution of property among the heirs of a deceased estate, and disputes about the administration of such an estate.

" Contract " also is in the main a self-evident group. " Sale and Purchase," and " Services," require no further discussion, although it may be of interest to note that many of the cases falling into the latter category were of " doctors " (*dingaka*) suing for the payment of fees due to them " for professional services rendered." Under " Permissive Use," I include loans, letting and hiring, and the caretaking of cattle and other forms of property (e.g. under the *mafisa* system). In " Donation," finally, I have placed the few cases where the issue was whether property transferred by one person to another constituted a gift or not.

My use of the term " Delicts " for the various types of wrong included under that heading may perhaps be questioned. However, they all have this in common, including even sorcery and rape: sometimes the offender is required to pay compensation to the person wronged, sometimes he is punished instead, and sometimes he is both punished and required to pay compensation. The judgment depends partly upon the exact nature and circumstances of the wrongful act, and partly upon tribal practice (the Kgatla and Kwena, for instance, impose fines for assault more frequently than do the other tribes, and the Ngwaketse in the past always awarded compensation and imposed no punishment in cases of rape). I hope in a future publication to discuss this group of cases more fully, and to see there if it is possible to define any specific principles that govern the type of judgment. For our present purpose, it is enough to say that in most cases of defamation, insult, seduction, adultery, and damage to property, the only verdict is one of compensation to the person wronged; whereas for assault, theft, sorcery, and rape, the more common verdict is either compensation plus punishment, or punishment alone.[1]

Of the subdivisions in this group, perhaps only three call for further comment. " Defamation " includes malicious and false accusations which have led to the wrongful trial or punishment of a person, and " Insult " comprises verbal abuse (generally obscene) of a senior in age or rank. By " Sorcery " I mean the actual or alleged bewitching of persons or their property by others. As we shall see more fully below, it has been illegal since 1927 for tribal courts to treat sorcery as a wrong, but in spite of this they continue to deal with such cases.

The last major category of cases are those constituting what I have here called " Penal Offences," because in all of them the accused, if found guilty, is almost invariably punished, and there is no question of compensation. In the sub-group, " Political Misdemeanours," I have placed all the cases where people were accused of violating their lawful obligations towards political superiors acting in that capacity, or where political authorities (e.g. ward-heads or village headmen) were accused of neglecting their duty or abusing their authority. Under " Contempt of Court," I have grouped all the offences relating to court procedure, like failure to answer a summons, telling lies in court,[2] unruly behaviour in court, or wasting the time of the court by needless litigation. "Statutory and Miscellaneous Offences," finally, includes all violations of tribal statutory law (i.e. the laws passed by the chiefs themselves, of which there are many, especially among the Ngwaketse);[1] it also includes various offences which do not fall into either of the other sub-groups in this category.

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[1] It has been suggested to me that the term " Property " is not strictly adequate, and that it would have been better to speak of " Real rights " or " Things." However, since I do not want to indulge here in discussions of technical terminology, I have preferred to retain the more familiar word, using it in the sense defined by W. M. Geldart: " Generally speaking, we shall include under the notion of a man's property in its widest sense all rights which are capable of being transferred to others, of being made available for payment of his debts, or of passing to his representatives on his death." (*Elements of English Law*, p 113. Home University Library, 1929.)

[1] For a fuller description of the penalties imposed in cases of theft and assault, see below, Table V.

[2] Since no form of oath is administered in tribal courts, " perjury " in the technical sense cannot be committed, but punishment is nevertheless sometimes inflicted upon people who are discovered to have been deliberately giving false evidence. The case records show therefore that what I wrote about the subject in my *Handbook* (p. 289) is not altogether accurate.

RELATIVE FREQUENCY OF LEGAL ISSUES

If, now, we survey Table I, it is at once evident that the bulk of tribal litigation among the Tšwana concerned with delicts and penal offences. Between them, these two categories comprise 58 per cent of the issues dealt with. Delicts alone greatly outnumber any other group, and even penal offences are more numerous than disputes about status, property, and contracts. Among delicts, by far the largest groups of cases are those relating to theft and assault respectively; theft is actually the largest sub-group in the whole Table, and assault is third in size (with "Marriage and Divorce" second in order of frequency). A surprising feature perhaps is the relatively large number of cases in which sorcery was an issue; they rank next to theft and assault in order of frequency among delicts, although they are not nearly so common as either. Of the remaining three groups, "Domestic and Personal Status" is the largest, but by no means markedly. The cases involving such issues constitute only 18 per cent of the total, and, even in the sphere of pure civil law, they occur less frequently than "Property" and "Contracts" combined.

To appreciate fully the significance of this distribution, we should have comparable data for other groups of Southern Bantu. Unfortunately however, I have been unable to find information for any other group than the Southern Sotho (of Basutoland), among whom Ashton made a similar analysis of 413 cases heard in tribal courts.[2] When classified according to the categories listed above, these cases are distributed as follows (in percentages). (For convenience, I give also the percentage distribution of the Tšwana cases.)

Table II

	Tšwana	*S. Sotho*
Domestic and Personal Status	18	7
Property	11	9
Contracts	14	11
Delicts	39	43
Penal Offences	19	30

The Southern Sotho figures show, even more markedly than those for the Tšwana, how much of tribal litigation is concerned with delicts and penal offences, and how relatively small a part is played by civil disputes arising from family and other relationships.

To those who have come to regard the publications of Whitfield, Seymour, and others, as adequate representations of "Native customary law," and who believe in consequence that "Family law" constitutes the great bulk of "Native customary law," these figures will probably come as a surprise. It must be remembered, however, that the standard manuals on "Native customary law" are based in the main upon records of cases heard in the Union of South Africa by European magistrates, Native commissioners, or judges, whose jurisdiction was limited by statute to certain types of cases, and did not by any means extend to all forms of litigation among the members of a Bantu tribe. The manuals, accordingly, provide a good index to those aspects of "Native customary law" that are recognized by the official courts of the Union, but they certainly do not reflect adequately the various types of litigation that occur under what we may term "tribal law." The sooner this is realized and admitted, the sooner will we be able to dispel the obviously inaccurate conception that "Native law is very largely Family law."

Even if we ignore for the moment all penal offences and those delicts that are not recognized by the Union courts as falling within the scope of "Native customary law," it is evident that

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[1] I have discussed this aspect of Tšwana law at some length in an essay entitled "Tribal Legislation and Cultural Change: a comparative study of law-making by the Tšwana chiefs" (due for publication in the London School of Economics Monographs on Social Anthropology).

[2] E. H. Ashton, *An Ethnological Survey of the Ba-Sotho (Southern Sotho)* (unpublished Ph.D. thesis, University of Cape Town, 1939), pp. 517ff. of MS.

"Family law" still does not represent the bulk of the issues dealt with by tribal courts in Basutoland and the Bechuanaland Protectorate. In the following Table (III), I have recast the figures so as to include under "Domestic and Personal Status" cases relating to adultery and seduction, and under "Property" cases about damage to property. I have also listed, as a separate category, cases relating to "Defamation and Insult." Whitfield says about them: "Defamation was not, with one exception,* under Native law civilly an actionable wrong, and Natives in the Cape Province institute such claims under the Common Law of South Africa."[1] The Natal Code, on the other hand, states explicitly that (among the Natal Nguni) "Defamation of character is an actionable wrong,"[2] and this is true also for the Tšwana and Southern Sotho.

Expressed as percentages of the new total (i.e. of "civil" cases only), the relative distribution of cases among the Tšwana and Southern Sotho is as follows, according to the records:

Table III

	Tšwana	*S. Sotho*
Domestic and Personal Status	40	24
Property	28	33
Contracts	25	25
Defamation and Insult	7	17

It is evident enough from these figures that disputes within the sphere of "Family law" do not comprise the bulk even of "civil law," and that in fact there is more litigation about questions of property and contracts. Disputes about contracts, especially, occur more frequently than one would expect from the scanty mention that is usually devoted to this aspect in the manuals. The figures generally, indeed, suggest that far too much stress has been laid in the past upon family law, with the result that the popular conception of "Native law" is by no means in accordance with the facts. It may be contended, in reply to what I have just said, that the law of property and contracts is far less complicated than family law, and can therefore be dealt with more summarily in textbook discussions. Even if this were true, as on the whole it seems to be, the evidence contained in the case records suggests that, in the available literature, several important aspects of "civil law" have been unduly neglected in favour of others that do not give rise to so much litigation.

One other important point emerges from the Tšwana records. This is that the number of cases dealing with *bogadi* (the Tšwana equivalent of *lobola*) is very small indeed. I have not listed them separately in Table I, but, of the 217 cases relating to marriage and divorce, only 10 (less than five per cent) were concerned with *bogadi*. There were no *bogadi* cases at all among the Kwena, Ngwato, and Tawana, and only one among the Kgatla (where a husband sued his barren and adulterous wife for divorce and the recovery of his *bogadi*). The other nine cases all occurred among the Ngwaketse, eight of them during the time of Chief Seêpapitsô. The Ngwato and Tawana long ago abandoned the practice of giving *bogadi*, which accounts for its absence from their litigation. On the other hand, the custom is still found in all the other tribes, although many people nowadays apparently do not observe it.[1] Nevertheless, as we have just seen, it plays very little part in their litigation. The proportionately large number of cases found among the Ngwaketse is due directly to the actions of Seêpapitsô, who insisted upon the strict observance of the practice, and not only ordered his people to give, or make sure that they received, *bogadi* cattle, but himself instituted proceedings again men who failed to comply. There was no such drive among the Kwena or Kgatla, with the result that between them these two tribes produced only one case about *bogadi* in the four or five years covered by the records.

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* Viz., accusations of sorcery. (My footnote).

[1] G. M. B. Whitfield, *South African Native Law* (Cape Town, 1929), p. 404.

[2] Cf. W. G. Stafford, *Native Law as practiced in Natal* Johannesburg, 1935), pp. 121ff.

[1] A survey I made in 1940 of several representative wards showed that, among the Kwena, of 29 men married in Church or by the District Commissioner (i.e. under European law), only 6 had given *bogadi* for their wives, and, of 59 men married under Tšwana law, only 10 had given *bogadi*; in all, that is, 72 married men out of 88 (=82 per cent) had not (yet) given *bogadi*. Among the Ngwaketse, the corresponding figures were: married in Church, 31, of whom 24 had given *bogadi*; married under Tšwana law, 110, of whom 32 had given *bogadi*; total number of men, 141, of whom 85 (=64 per cent) had not (yet) given *bogadi*.

Among the Southern Sotho, on the other hand, Ashton's figures show that of 22 cases relating to marriage and divorce, no fewer than 16 (=73 per cent) were concerned with *bohali* (i.e. *bogadi*). This corresponds far more closely to what one reads about Nguni law, where *lobola* cases are said to figure so prominently. Whatever the underlying reasons, it is evident that here Tšwana law differs markedly from the law of certain other Southern Bantu; and, as is shown by the quotation given above from Whitfield, Cape Nguni law differs from the law of other groups in regard to defamation. Many other instances of the same kind can be found, all of which go to prove that Nguni law cannot be regarded as fairly representative of "Native customary law," whatever may be the effect conveyed by the standard manuals on the subject. In fact, we are still far from being able to formulate a body of general principles common to all systems of Southern Bantu tribal law. Hitherto the accepted ideas about the nature of that law have been derived almost entirely from a consideration of Nguni law, and, until such time as adequate comparisons have been made of the similarities and variations between one ethnic group and another, it would perhaps be advisable to discard the term "Native customary law," and to speak instead of "Nguni law" or "Tšwana law," or even of "Ngwato tribal law" or "Kgatla tribal law," etc.

JURISDICTION OF THE TRIBAL COURTS

It is evident, from what has just been said, that the tribal courts in the Bechuanaland Protectorate deal with a far larger variety of cases than is recognized by the official courts in the Union. This is due primarily to the policy of the Protectorate Administration. The Proclamation of 10th June, 1891, which provided machinery for the government of the Protectorate, laid down that the jurisdiction of European courts "shall not extend to any matters in which Natives only are concerned, unless in the opinion of such Court the exercise of such jurisdiction is necessary in the interests of peace, or for the prevention or punishment of acts of violence to persons or property" (Section 8). In the main, this policy, which recognized the rights of the chiefs to judge their own people, has been followed ever since. It is specifically endorsed in the Native Tribunals Proclamation of 1934, the relevant section of which reads: "Subject to the provisions of this Proclamation, every senior tribunal shall have and may exercise jurisdiction both of a civil and criminal nature over Natives residing within its tribal area in all matters where such Natives only are concerned" (Section 8).

As already mentioned, however, the Proclamation then goes on to specify certain types of cases to which the jurisdiction of tribal courts shall not extend. These comprise all cases in which an accused person is charged with treason, sedition, murder or attempted murder, culpable homicide, rape or attempted rape, assault with intent, conspiracy against the chief, and various statutory offences. On the civil side, the only cases excluded are those of divorce proceedings between persons married under European law, and disputes about certain types of estate "to which the law of the Territory applies . . . (or) to which Native law and custom are inapplicable." Several of these types of cases had been withdrawn from the jurisdiction of tribal courts long before the Proclamation was issued, e.g. murder and culpable homicide, failure to pay hut tax (a statutory offence), and divorce proceedings of the kind specified. Others, however, appear to be innovations, e.g. the exclusion of rape and assault cases.

The question that now arises is what effect this legislation has actually had upon the jurisdiction of the tribal courts. An initial answer is provided by the number of cases that have been quashed on review by a District Commissioner, on the ground that the court had exercised illegal jurisdiction. In all the records that I examined, I came across only four cases in which this had been done. In 1938, the judgment and sentence in two cases of sorcery tried by the Ngwaketse chief's tribunal were set aside by the local District Commissioner, on the ground that " witchcraft " is a statutory offence (under Proclamation 17 of 1927), and therefore beyond the jurisdiction of a senior tribunal.[1] In the same year another case, in which the same tribunal had punished an alien Native for theft, was set aside on the ground that the tribunal's jurisdiction extended only to Natives residing within its tribal area.[2] The District Commissioner added, however, that he would deal with the accused in his own court.[3] In 1937, finally, the Tawana chief's tribunal sentenced a man to cuts and imprisonment for stock theft accompanied by cruelty to the animal stolen. The District Commissioner approved of the sentence, but pointed out that in future the tribunal should refrain from judging cases of cruelty to animals, " which constitute a contravention of statutory law."[4]

If however we examine Table I, it is evident that the tribal courts have been dealing with other cases that are beyond their jurisdiction. The Proclamation specifies in its list of excluded cases " assault with intent to do grievous bodily harm." Nevertheless, cases of actual physical assault figure very prominently in the Table for all the tribes. In only one instance (among the Ngwato) was the case sent on to the District Commissioner after being heard in the chief's court; in all the others, the tribal courts passed judgments which were allowed to stand on review. The Proclamation also excludes cases of rape from the tribal courts, and, as the Table shows, only two cases have in fact since been dealt with by them; both, however, were transferred to the court of the District Commissioner, so that here, at least, there was no apparent transgression of the law.

The other cases specifically excluded by the Proclamation include " conspiring against or subverting or attempting to subvert the authority of any Chief or Sub-Chief." In 1937, the chief of the Kgatla tried and sentenced a number of his subjects who were openly hostile and opposed to his rule.[1] The judgment was upheld on appeal to the District Commissioner, but a further appeal to the Special Court succeeded, mainly on the ground that the chief's tribunal had had no jurisdiction in the matter.[2]

The Proclamation further excludes from the jurisdiction of tribal courts divorce proceedings between Natives married under European civil law. Here it largely repeats the provisions of an earlier Proclamation issued in 1926. At the time several chiefs, notably Isang (acting chief of the Kgatla, 1920-29), tried hard to have the law modified so as to bring such divorces within the jurisdiction of their own courts, but the only concession made was an amendment in 1928, which provided that they could deal with any question of property that was involved, after the divorce had been granted in the court of the District Commissioner. At the present time, almost every tribal court still hears marital disputes between people married under European law, but if the issue of divorce is raised the general practice has been to transmit the case to the District Commissioner.

The Proclamation, finally, states that tribal courts may not deal with " offences constituted by any statute in force in the territory, unless in such statute it is otherwise provided." As we saw above, it was in terms of this provision that the judgments in two recent witchcraft cases tried by the Ngwaketse were set aside. Proclamation 17 of 1927 made the imputation or practice of witchcraft a penal offence. We may ignore for the present the cases of witchcraft tried by the

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[1] Molale Kemotlhokile v. Keitshepile Molale (Chief's Tribunal, Ngwaketse, 17/1938); Matubi Lentswe v. Tlelase Tselayakhumo (*Ibid.*, 21/1938).

[2] Before the passing of the 1934 Proclamation, it was competent for tribal courts to try and punish alien Natives committing an offence within the tribal territory. Several instances are found in the Ngwaketse records for 1910-16.

[3] Chief v. Mokoto Montshiwa (Chief's Tribunal, Ngwaketse, 11/1938).

[4] Mazera v. Mokgalo (Chief's Tribunal, Tawana, 29/1937).

[1] Chief's Tribunal v. Motsisi Ralefala and 108 others (Chief's Tribunal, Kgatla, 15/1937); Chiefs Tribunal v. Rapedi and 20 others (*Ibid.*, 16/1937).

[2] Rex v. Motsisi Ralefala and others. In the Special Court of the Bechuanaland Protectorate, 8th June, 1938, Criminal case No. 47.

Ngwaketse in the period 1910-16, which preceded both Proclamations. Table I shows, however, that witchcraft cases have been heard in every tribe subsequent to the passing of the Native Tribunals Proclamation. Occasionally a fine has been imposed, but the most common verdicts have been that the accused, if found guilty, either should "undo" (*go dirolola*) the effects of his witchcraft (i.e. see that his "victim" recovered from the illness giving rise to the accusation), or should remove from the village or ward where he was living. These verdicts have enabled certain chiefs to defend their action by saying that they handled the matter as an administrative inquiry and not as a judicial trial, although in fact the procedure was identical with that of a normal trial, and figures as such in the records. It should however also be added that the same chiefs have usually referred some obvious cases of witchcraft to the District Commissioner for trial, after themselves making a preliminary investigation.

One other aspect of jurisdiction may be mentioned briefly. The Proclamation lays down that: "It shall be an offence for any person other than a Native . . . to take or attempt to take any case to a Native tribunal." This provision repeats the substance of legislation enacted as far back as 1891, and on several occasions subsequently. The records for the period since the passing of the Proclamation contain no instances of its violation in this respect. The earlier records show however that Europeans living among the Tswana as traders or blacksmiths often found it useful to have a chief adjudicate upon their claims against his subjects. Among the Ngwaketse, there were 25 such cases in the period 1910-16, and eight in the period 1928-34. Almost all were concerned with either breach of contract or theft, but in one instance a trader successfully complained that his servant had been bewitched by someone else!

PUNISHMENTS INFLICTED BY THE COURTS

The Native Tribunals Proclamation not only limited the jurisdiction of tribal courts. It also provided that no tribunal may impose a punishment involving death, serious physical injury, corporal punishment of women, corporal punishment of men except under certain prescribed conditions, damage to or destruction of property, banishment or forcible removal from lands or residence (except with the approval of the Government authorities), and "deprivation of property otherwise than by fine lawfully imposed." On the other hand, it extended the powers of the courts by allowing them to pass sentences of imprisonment, with or without hard labour, or to detain a culprit "for compulsory labour upon any work for the benefit of the tribe."

These regulations embodied several innovations. The first was the granting of powers of imprisonment to the courts, the sentence being served in the nearest Government gaol. The measure has on the whole been welcomed, and nowadays tribunals fairly often impose such sentences, especially for theft.

On the other hand, the restrictions upon corporal punishment have proved unpopular, and requests have been made at various meetings of the Native Advisory Council that some of their traditional powers in this respect should be restored to the courts. The Proclamation allows tribunals to impose sentences of corporal punishment upon males, but limits the number of cuts that may be ordered, and specifies that before the sentence may be executed it must be reported to the District Commissioner, and must then be carried out "subject to such conditions and under such supervision as are prescribed in the case of a similar sentence imposed under the law of the Territory." The objection which the tribal authorities have to this is due mainly to the delay that must ensue between the passing of the sentence and its actual execution; they argue that it would be much more effective if the sentence could be carried out immediately after the conclusion of the trial, as was the practice under the traditional system.

Of the other types of punishment nowadays forbidden to the tribunals, death sentences had long previously been withdrawn from their powers. The remainder were not often imposed, except for the removal of persons from the village or ward in which they were residing. This is still permitted, but only with the approval of the Administration. However, of the few cases contained in the records where such a sentence was imposed, the great majority affected people who had been found guilty of sorcery. Since the trial of such cases is itself illegal, the sentence should have been quashed on review, but this seems to have been overlooked; nor was the approval of the Administration formally sought and obtained.

Most of the punishments nowadays inflicted consist of fines, either in livestock or in money. The Proclamation says that all fines "shall be paid and dealt with in accordance with Native law and custom; provided, however, that it shall be lawful for the tribunal to pay into any tribal fund which may have been or may hereafter be constituted such portion of any fine as may not be required for the satisfaction of any reasonable claims under Native law and custom, and provided further that the records of each case shall include a detailed statement as to the disposal of the fine." Since the establishment of tribal Treasuries in 1938, it has been the general practice to pay all fines into them, and a special heading for revenue accruing from this source is included in their annual estimates.

Judging from the recorded cases, the fines inflicted are usually fairly small, consisting of either one or two head of cattle, or sums of money varying from 10s. to £2. It is only occasionally that they exceed five head of cattle, or £3 in cash. The following table shows, for the periods specified, the total amounts of fines collected by the chief's tribunals in the various tribes. (Amounts paid as damages or compensation to victims of a wrong are not included.) I quote also, for purposes of comparison, the estimated cash value of all fines (whether in livestock or money) in each tribe for the financial year 1940-41; the figures are taken from the official estimates of revenue accruing to the tribal Treasuries.[1] It will be gathered from the Table that on the whole the fines do not amount to nearly as much as one is generally led to assume.

Table IV.

	Small Stock	*Cattle*	*Money*	*1940-41 Estimates*
Kwena (1935-38)	3	83	£3 10s.	£25
Tawana (1935-39)	1	22	£4 0s.	£20
Ngwato (1937-38)	1	24	10s.	£100
Kgatla (1935-39)	1	52	£86 10s.	£65
Ngwaketse (1936-40)	11	188	£30 15s.	£50

As a final indication of the types of penalty nowadays imposed by the tribal courts, I give in the following Table a summary of the distribution, among all the tribes taken together, of the various sentences passed in cases of theft and assault. (The Ngwaketse cases that have been included relate only to the period since the passing of the Proclamation, i.e. 1936-40).

Table V.

Nature of Sentence	*Assault*	*Theft*
(a) Damages or compensation	23	58
(b) Damages or compensation +fine	9	11
Damages or compensation +thrashing	1	8
Damages or compensation +imprisonment	2	12
Compensation *or* imprisonment	—	1
(c) Fine	34	5
Thrashing	8	2
Reprimand	5	—
Thrashing + imprisonment	1	2
Fine *or* imprisonment	11	4
Removal from residence	1	—
Imprisonment	4	15
Fine *or* thrashing	2	—

THE COURTS AND SUBSTANTIAL JUSTICE

We may now proceed to discuss how far the tribal courts give satisfaction to the people. It should be noted at this stage that few cases (apart from certain crimes) come before a chief's court without having first been exhaustively discussed in several lower grades of court, starting with that of the family-group or the ward. The result is that by the time the case reaches the chief the main issues have usually been clarified, and the court's problem is to decide not so much upon the merits of the case as upon a judgment that will be accepted by all the parties concerned. Hence if the stories told by the litigants and their witnesses vary too much, they may be sent back to be thrashed out again until the rights and wrongs have been clearly defined. (This happened, for instance, in nine of the Tawana cases and six of the Ngwato cases contained in the records.) Similarly, especially in delicts and penal offences, every effort is usually made to get the offender to admit that he was in the wrong. Again, if the evidence is inadequate or an essential witness is absent, the case will be postponed. It may therefore be taken that one of the aims of a Tšwana judge is to satisfy all the litigants, as far as possible, that they have been dealt with fairly. Prejudiced or oppressive judges do of course occur, but on the whole the people seldom complain about the present judicial system.

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[1] These estimates allow for fines imposed by junior tribunals as well as by the chief's tribunal: the figures I give for the amounts actually collected relate to the chiefs tribunal only.

The Proclamation provides several criteria by which the efficiency and justice of the tribal courts can be empirically tested. It stipulates that all cases, in which sentences exceeding certain prescribed limits are imposed,[1] must be reported to the District Commissioner, "who may confirm alter or reverse the conviction or confirm reduce or vary the sentence and whose decision shall be final." It provides also that any person, who feels that his cases will not be fairly dealt with by the chief's tribunal, may apply to have it heard instead by the District Commissioner. Finally, it allows for an appeal from the chief's tribunal to the court of the District Commissioner.

The following Table gives the number of cases, for different tribes, in which sentences were imposed beyond the limits laid down; it shows also in how many instances the sentence was either reduced or altered on review by the District Commissioner. As will be seen, the sentences have on the whole been approved, which indicates that they have seldom been considered excessive or unjust by the Administration.

Table VI.

	Ngwaketse	*Kgatla*	*Kwena*	*Tawana*
Number of cases	33	17	18	30
Sentences reduced	3	—	8	—
Sentences altered	1	1	—	—

It is worth noting in this context that, where a man is unable to pay the fine imposed upon him, the courts often accept a smaller payment in full settlement. A few Kwena examples will serve to illustrate this fact, which is common to all the tribes. A man fined £5 or an ox paid only £1 (11/38), and another, fined the same amount, paid £2 (7/37); another, fined two head of cattle, paid only 10s. (1/37), and still another, fined an ox, paid only 7s. 6d. (34/36). So, too, in cases of compensation, the plaintiff often accepts a smaller amount than had been awarded to him. The amount stipulated by the court in its sentence must not therefore be regarded as the amount that will necessarily be paid. This is one of the features of Tšwana law that sometimes tends to be overlooked, although in fact it is an important illustration of the principles of Tšwana justice.

Applications for a case to be dealt with by the District Commissioner instead of by the chief's court have, so far as I could discover, been made only amongst the Kgatla, and here in only three instances. The main reason for this procedure was that, at the end of 1936, the chief was suspended and subsequently banished from the tribal reserve. His younger brother, who was appointed to act in his stead, encountered considerable opposition from part of the tribe, who consequently preferred to take their cases straight to the District Commissioner.

Appeals have been more numerous, but nevertheless are on the whole relatively infrequent. I failed to get the necessary data for the Ngwato. Among the Ngwaketse, of the 176 cases heard in 1936-40, ten were taken on appeal; five failed, two succeeded, retrial was ordered in another two, and conviction was upheld in the tenth but sentence was altered. Among the Kwena, only one appeal was heard from the 101 cases dealt with, and it failed. Among the Kgatla, there were eight appeals from a total of 131 cases; seven were unsuccessful,[1] and in the other conviction was upheld but the sentence was modified. Among the Tawana, finally, there seem to have been no appeals at all from the 259 cases dealt with by the chief's court. Here, again, the conclusion can be drawn that in the main the people are satisfied with the chief's verdict. In the few cases where they did appeal against it, the verdict was generally upheld, which means that the District Commissioner considered it to have been just and equitable.

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[1] The sentences referred to are: imprisonment for a period exceeding two months; payment of a fine or compensation exceeding £10 in value; and corporal punishment.

CONCLUSION

In the foregoing pages I have dealt with only a few of the features suggested by an examination of the case records nowadays kept by the Tšwana tribes. I have not discussed at all the wealth of information they contain on the substantive law of the Tšwana, nor the light they throw on points of procedure, or on the work of the courts in defining or altering the law. As I have already stated, I hope to deal with these and other topics in future publications. However, even from the material contained in this article, it should be evident how valuable is an analysis of case records as an approach to the study of tribal law. These records provide by far the best factual statement of what the law is, and show also how necessarily incomplete must be any account derived solely from questioning informants and perhaps attending a few cases in person. What has struck me most, however, is the great value of such records as an index to the types of litigation that come before the tribal courts. An adequate generalization would require a similar examination of a consecutive series of cases dealt with by the lower courts as well, but even from a survey of the cases dealt with by the chief's courts it is evident that tribal law extends over a much wider field than seems to be commonly imagined. It is to be hoped that anthropologists working in other areas where such records are available will analyze them in the same way, and contribute thereby to giving the study of tribal law a more concrete basis than it possesses at present. The validity of theories about Bantu tribal law can be tested only by examining the work of tribal courts, and that is a subject on which far too little sound research has yet been done in South Africa.

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[1] One of these cases was carried on further appeal to the special court, which set aside the judgement of the chief's tribunal on a technical point. See above p. 36.

THE GROWTH OF COMPARATIVE BANTU PHILOLOGY

By C. M. DOKE

Although work upon individual Bantu languages had been carried on by Catholic priests during the seventeenth century both on the Eastern and Western coasts of Africa, the researches were independent of one another, and there is no evidence of any comparison being made at that time between these diverse types of Bantu. During the eighteenth century, however, there were repeated references in Portuguese writings to the similarities between the speech of Angola and that of Moçambique. Lack of interest in the languages of Africa at this time was pointedly referred to by **L'Abbè Proyart** in his *History of Loango, Kakongo, and other Kingdoms in Africa*, published in 1776. He writes:[1] "Among that prodigious mass of narratives, from which has been formed the general history of *Voyages* and *Travels*, and an infinity of others published every day, no mention is made of the languages which are spoken in the different countries, the manners and usages of which are described to us; and if the authors did not from time to time put into the mouths of the inhabitants of those distant regions, some words of which they know the meaning, we should be tempted to believe, that only dumb people had travelled among those nations. . . . All will agree at least, that whatever relates to the language, its genius, *its relation to other known languages*,[2] even its mechanism and its flow are not traits which would look misplaced in the historical picture of a nation." And so Proyart proceeds to devote a chapter of his book to the Kakongo language.

In this he barely touches upon the comparative when he states: "The idiom of Kakongo, nearly the same with that of Loango, n'Golo-samba, and other small circumajacent states, differs essentially from that of Congo. *Several similar articles*,[3] *and a great number of common roots, seem however to indicate that these languages had a common origin*;[1] but they know not which of the two is the mother tongue. The cleverest among the Negroes have not the smallest idea of the origin and progress of their language; they speak, they say, as they have heard their fathers speak. It has been thought that there might be perceived some marked connections between this language and some ancient tongues, especially the Hebrew, Greek and Latin." Despite Proyart's clear judgment through most of this chapter, he falls into that subtle temptation of trying to find connections with the ancient classical languages.[2] "There are also in the language many words pretty much resembling Hebrew words . . ." and he goes on to give a number of examples, such as *lika* (to eat) and Hebrew *lakham*. "The connections of this language with the Greek, appear equally marked . . . There are to be found also a great number of words which differ little from Greek words, and signify the same thing;" and he instances *basita* (chief) and *basileus*, *deko* (walk, follow) and *diôko* (I pursue), *kama* (mound, obstacle) and *kamax* (stake, prop), and so on with a number of other equally unconvincing similarities. "There are also to be found several words which seem to have come from the Latin"—and of these some certainly do, e.g. *mêsa* (table), introduced by the missionaries!

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It was not, however, until the beginning of the 19th century that any categorical statement was made regarding a classification of the languages of Southern Africa. It is generally conceded that **Heinrich Lichtenstein** in 1808, in his paper entitled "Bemerkungen über die Sprachen der Südafricanischen wilden Völkerstämme," was the first to point out that "the inhabitants of Southern Africa may be divided into two principal races, viz. the Hottentots and the Kaffirs." In this paper Lichtenstein went on: "The two races may be clearly distinguished by their build, features, colour, customs and speech . . . . Although the above-mentioned characteristics sufficiently illustrate the difference in origin, yet even more proof of this is the most complete lack of affinity of the two languages to one another . . . . All linguistic types of the South African aborigines must be classified as dialects of either one or the other of these two principal classes." He further stated that "we are justified in considering all the inhabitants of the East Coast of Africa, from 10⁰ or 12⁰ S. to the frontiers of the Dutch Colony, as one nation . . . . to which further research may perhaps compel us to add the inhabitants of the South-west Coast." Lichtenstein also published in his *Travels in Southern Africa* not inconsiderable vocabularies of Xhosa and Tswana, and his remarks upon these showed that he conceived them to be but "dialects" of the same language.

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[1] Chap. XII.

[2] Italics mine.

[3] i.e. prefixes.

[1] Italics mine.

[2] A temptation often succumbed to in modern days when Malay, Sumerian and other languages are similarly dragged in; see page 56.

Martin Heinrich Karl Lichtenstein, son of a Hamburg professor, was born in 1780. He studied medicine in Jena and Helmstädt taking his degree in 1802. His interests turned to the study of natural history, and he seized an opportunity which presented itself of going to Cape Town, as tutor to the eldest son of the newly-appointed Governor, General Janssens, and doctor to the family. He spent his free time studying, particularly zoology and undertook many scientific expeditions. He joined the Dutch army as surgeon-major in the war with England, and after the English annexation of the Cape, returned to Germany and wrote up his *Travels in Southern Africa*, which appeared in two volumes, 1810-1811. Lichtenstein became professor in Zoology in 1811 at the newly-formed University of Berlin; and director of the Zoological Museum there in 1813 and the great reputation of the museum is mainly due to his untiring efforts. In 1815 he married a daughter of the manufacturer Hotho, and their house became a centre of Berlin social life, and an influence upon the musical life of the city. His only son was killed in an unfortunate duel, and Lichtenstein himself died at sea between Corför and Kiel in 1857.

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Several other writers seem to have arrived at the same conclusion as Lichtenstein much about this time, but quite independently. Of these the most important was **William Marsden** (1754-1836), orientalist and antiquary. Marsden, while serving the East India Company in Sumatra for some eight years, came into direct contact with a Bantu language through a servant of his who was a Makua from Mozambique. His contribution to the comparative study of Bantu is found in the *Narrative of an Expedition to explore the River Zaire usually called the Congo, in South Africa, in 1816, under the direction of Captain J. K. Tuckey, R.N.* published in London in 1818. The Admiralty had requested Marsden to write to Captain Tuckey instructions which would help him on the language side of his recordings during his Congo River exploration, and in his letter is this interesting note: "I had formerly a negro servant from Mosambique, who came by the way of Bombay to Bencoolen, and having taken down from his mouth the words of his native tongue, I was afterwards much surprised to find them correspond, in many instances, not only with the language of the Caffers, as given by Sparrman, but more especially with that of Congo, as will be seen on comparing a few of the words of the latter, as given by Benjamin (the Congo black) with those taken from my servant."[1]

Marsden himself commented upon Tuckey's vocabulary as follows:

"The very copious and apparently accurate vocabulary of the *Congo* language, collected by Captain Tuckey, has furnished the means of comparison with the other languages and dialects prevailing in the southern portion of Africa, and has thereby served to establish the fact of an intimate connexion between the races of people inhabiting the western and the eastern coasts of the peninsula ; although in that parallel, its breadth is little less than thirty degrees of longitude.

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[1] How early Marsden had come to these conclusions it is difficult to say, but probably before Lichtenstein published his statement; see A. Werner, "English Contributions to the Study of African Languages" in *Bibliotheca Africana*, Vol. III, July 1929, to which I am indebted for some of these details.

"Upon selecting some of the most familiar terms, and comparing them with the specimens we possess, it will be seen in the first place, that the words as written down by Captain Tuckey, from the mouths of the Natives of *Congo*, agree generally with those given by Brusciotto, Oldendorp, and Hervas ; allowance being made for the differences of European orthography. They also correspond with those of the neighbouring countries of *Loango* and *Angola*, with some variety of labial pronunciation, and less perfectly with the languages of the *Mandongo* (not to be confounded with the *Mandinga* of Northern Africa) and the *Camba* people ; both of the same western coast. It is highly probable, that all these mutually understand each other in conversation. Between the Congo language and that of the tribes on the eastern side, the affinity, although radical is much less striking, and the people themselves must consider them as quite distinct ; but the following instances of resemblance, in words expressing the simplest ideas, may be thought sufficient to warrant the belief, that the nations by whom they are employed, must, at a remote period, have been more intimately connected." Then follows a six-column comparative vocabulary illustrating twelve English words.

Marsden's findings were summed up by the Editor of Tuckey's "Narrative" as follows : "The language of the Congo and the neighbouring states, differs very materially from all the known languages of the negroes of Northern Africa ; but from the copious vocabularies obtained by Captain Tuckey, there would seem to be *a radical affinity between all the languages on the western coast of Southern Africa, and that these languages have pervaded the greater part of that portion of the Continent, and extended even to the Eastern Coast.*"[1]

William Marsden was born in 1754 at Verval, county Wicklow, and went to India at an early age. He contributed many interesting papers printed in the Philosophical Transactions, and the Archaeologia, upon subjects connected with the history and learning of Asiatic nations, and among the separate works he published are, a *History of the Island of Sumatra* (1782), a *Dictionary and Grammar of the Malayan Language* (1812), *Numismata Orientalia Illustrata*, and *The Travels of Marco Polo*. The discovery of the unity of the Berber sub-group of Hamitic languages was due to Marsden's philological ability. In 1795 he was appointed second secretary to the Admiralty. After his retiral he succeeded Lord Stowell as senior member of the literary club founded by Dr. Johnson, Edmund Burke and Sir Joshua Reynolds. He died in 1836 at the age of 81.[1]

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Dr. John Philip, the well-known missionary of the L.M.S. at Cape Town, unconsciously contributed his quota towards comparative Bantu studies when he wrote in the *Missionary Register*[2] for 1824 : "I have been bestowing some attention on the affinity of several languages spoken in this angle of the continent of Africa ; and have discovered that the languages spoken by the Cafres on the eastern coast of Africa, by the inhabitants of the Comoro Islands,[3] and by the Bootsuannas, are different dialects only of the same language. On this subject I am in possession of the most satisfactory evidence. On a comparison of the Caffre, the Bootsuanna, the Johannese, and the Pembé Vocabularies, which I have been able to collect, it strikes me as a matter of surprise that the resemblance is so remarkable ; and it has been ascertained that these people speak so as to be understood by one another. . . . If the Caffre Language is spoken in the Comoro Islands, it is not to be supposed that a different language is spoken on the shores of Mozambique, immediately opposite ; and I have little doubt but that the different tongues spoken from the borders of our Colony to the confines of Abyssinia, and from the mouth of the Zembeza on the eastern coast of Africa to the mouth of the Congo on the western coast, will be found different dialects only of the same language."

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[1] Italics mine.

[1] Maunder's *Biographical Treasury*.

[2] London, 1824, pp. 144-5.

[3] He had seen Elliott's MS.

James Cowles Prichard, M.D., in his *Researches into the Physical History of Mankind*,[1] well summed up the knowledge of African Languages and their inter-relationship in his day. He first of all paid a warm tribute to Marsden "whose opinions of any subject connected with the history of languages, and particularly of the languages of the African nations, are entitled to the greatest attention," and quoted his conclusions as recorded in Tuckey's "Narrative." He then set out comparative vocabularies, 'Kosah' words culled from Lichtenstein and Boyce, 'Bechúana' words from Burchell, words from Delagoa Bay from White; words of Mosambique dialects from Salt's "Makooa," from Dr. Natterer and from Marsden; "Monjou" "Súhaili" from Salt, and the Kongo dialects from Tuckey and Oldendorp. Prichard adds: "A still more decisive proof of near relation is displayed between the language of the Amakosah Kafirs and the dialects of the Kongo nations, by a comparison of the personal and possessive pronouns in all these idioms[2] . . . . The preceding collections exhibit specimens of languages spoken in the most distant parts of Southern Africa: they may be considered as exemplifying, though by a brief specimen, the idioms of the whole African continent to the southward of the equator, except the Hottentot dialects. The Súhaili on the eastern coast, near the River Juba, the Kongo languages in the west, and the Kafir in the south, occupy the extreme points of a great triangle. The instances of resemblance are sufficiently numerous to show undoubted proof of connexion between all these languages; but this proof of connexion is of different extent in different instances. . . . When we consider the nature of these words, common to the idioms of so many distant nations, the supposition that they may have been borrowed by one people from another seems altogether untenable. We are ready to think that no other hypothesis can explain indications of affinity in the idioms of tribes in so low a degree of social culture, and spread over countries so remote, except the obvious one that the tribes themselves were originally sub-divisions of the same stock." Prichard then goes on to discuss the relative closeness of relationship of the languages under consideration. Speaking of the languages of "Southern Africa," i.e. the Bantu languages, he concludes: "We have likewise, in the instance of these last, besides the proof of near analogy in grammatical construction, which alone would bring the respective languages within the same CLASS, a further proof of relationship in the resemblance of their vocabularies. On the evidence of these facts we may, perhaps, venture to comprise them all in one FAMILY of languages."

In the Index to his 2nd edition, 1826,[1] Prichard divided the "Kaffrarian Family," of "languages allied more or less," as follows:

(a) Kaffers, proper.
1. Koossa Kaffers.
2. Tambucki K.
3. Dammaras.
4. Bishuanas.
} Kaffer Language.
5. Natives of Delagoa Bay.
(b) Mosambique Nations.
  1. Negroes of the Mosambique Coast . . . .
    Language allied to the Kaffer and Kongo.
  2. Makooas.
    Macquanas.
  3. Monjou.
(c) Kongo Race.
  1. Kongoes.
    Angolans.
    Dongo People.
  } Kongo Language.
  2. Loango People.
    Makongo.
    N'Goy.
  } Loango Dialect of the Kongo.

This classification, apart from the allocation of the "Dammaras," is remarkably accurate, as far as it goes.

* * *

In the same year, 1826, **Adrien Balbi**[2] set out a general table of African languages, dividing them first into five divisions; I Nile Region, II Atlas Region, III Maritime Negro of Guinea and Senegambia, IV South African Region, and V Sudan and Interior Negro. This was obviously a geographical division, and his interesting subdivision of the "South African Region" further exemplifies this. It is as follows:

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[1] I am quoting from his 3rd edition 1837, Vol. II. Chapter IV, "Researches into the Physical Ethnography of the African Races."

[2] Here follow pronominal and concord specimens from Loango, Kongo and "Kosah."

[1] Page 533 of Volume I. The 1st edition had appeared as early as 1813.

[2] In his *Atlas Ethnographique du Globe ou Classification des Peuples Anciens et Modernes d'après leurs Langues.*

Congo Family, including Loango, Camba, Anzico or Makokko (?), Congo, Bunda or Angola, Benguela, Mandongo and Molua (?).

Caffre Family, including Southern Caffre or Caffre Proper, Western Caffre or "Beetjouane," Eastern Caffre or Mosambique (?), and Middle Caffre or Delagoa Bay.

Hottentot Family, including Hottentot and "Saab" or Bushman.

Monomotapa Family, including Monomotapa (?), Macouas, Monjoue and Sowaïel.

Galla Family, including Gallas, Muzimbos (?), Somauli, Hurrur, Gingiro (?) and Mohenemougi (?).

Here is, at any rate, a very definite attempt at a general classification, even though the "Hottentot" and "Galla" families are listed with what we now know to be Bantu languages. Balbi goes into considerable detail concerning dialects and characteristics of the various families, and after giving some general remarks upon the "Caffre Family" including record of "l'intonation qui tombe presque toujours sur l'avant-ernière syllabe," he adds "According to the researches carried out by Malte-Brun and Marsden, it seems clear that all the languages of this family, especially the Eastern or Mozambique, have a very considerable affinity with those of the Congo family; a phenomenon especially remarkable in Africa, where, with but few exceptions, the domain of each language stretches but a little distance."

* * *

The intimate connection between the Bantu languages had been recorded incidentally by travellers about this time. **Campbell,** in his "Travels" undertaken in 1812,[1] alluding to the Herero (Damara), remarked that their language is similar to that of the people of Mozambique. **Thompson** too, in his "Travels," undertaken in 1824,[1] stated that "it may be considered as sufficiently established, that the tribes commonly called Caffers, or Koosas (Amakosae,) the Tambookies, (Amatyumbae,) the natives of Hambona, of Natal, of Delagoa Bay, and Mozambique, the Damaras on the west coast, beyond Namaqualand, and the numerous Bechuana tribes who occupy the interior of the Continent to an extent unexplored, are not only sprung from one common stock, but bear so striking a resemblance to each other in language, customs, and mode of life, as to be readily recognised as sub-divisions of one great family." And to them he also links the language of the Comoro Islanders.

* * *

By 1837 knowledge had so far advanced that **William Boyce,** the missionary author of the first Xhosa grammar published, was able, in his introduction to Archbell's *Grammar of the Bechuana Language*, to make a clear distinction between the "uncouth and inharmonious dialects" of the "Namacqua, Korana and Bushmen," and "the second division, or family, the South African languages" comprising "the sister dialects spoken by the Kafir and Bechuana tribes." He writes: "In the present state of our information it appears probable that all the languages of South Africa may be classed under two divisions or families. The first and most ancient, which was probably that spoken by the earliest inhabitants who found their way to this extremity of the globe, comprehend the dialects spoken by the Namacquas, Bushmen, Koranas and Hottentots; these dialects, (all of which, though differing from each other, are radically the same,) were once spoken throughout all South Africa as far as the Kei River . . . . These dialects are entirely different in grammatical construction from the Kafir and Sechuana language; they abound in those peculiar and barbarous sounds called clicks, and from their harshness, and the limited nature of their vocabularies, appear to be barriers in the way of religious and intellectual culture, and as such, doomed to extinction by the gradual progress of christianity and civilization. . . .

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[1] *Travels in South Africa*, by John Campbell, London, 1815, page 432.

[1] *Travels and Adventures in Southern Africa*, by George Thompson, London, 1827, page 187.

"The second division, or family, of the South African languages comprises the sister dialects spoken by the Kafir and Bechuana tribes, to the east and north of the colony. That the relation subsisting between the Kafir and Sechuana is that of descent from a common parent is evident, not only from the many words common to both, but from an almost perfect identity in the leading principles of grammatical construction. . . . Yet each dialect has peculiarities of its own, sufficient to oblige the learner to consider it, for all practical purposes of speech and composition, as a distinct language."[1]

Boyce, however, is wide of the mark in his observations regarding the particular importance of Tswana. He writes: "Sechuana, comprising a variety of dialects, only slightly differing from each other, appears to be a branch of an extensive language spoken through all Africa, from the northern boundary of the Cape colony, as far as the equator. On the west coast of this extensive territory the Damaras . . . speak a dialect of Sechuana. In Congo, Angola and Loango, the languages spoken are evidently of the same class. The natives of Delagoa Bay, the Makooa tribes, extending from 17⁰ to 4⁰ south latitude, the Sowauli or Sowaiel who dwell beyond the Makooa, as far as 2⁰ north latitude, the Monjou, who are supposed to be so far in the interior as a two or three months' journey north-east from Mozambique, speak languages only slightly differing from the Sechuana spoken near the Cape colony." Possibly the lack of initial vowels in Tswana, a feature shared with so many other languages, as contrasted with Xhosa, caused Boyce to relegate the former to prime place as a Bantu type.

Boyce included a table of "Specimens of the Languages of South Africa resembling the Kafir and Sechuana," in which he gave examples of words from "Delagoa Bay," "Makoha" (Makua), "Monjou" (Yao) and "Sowaiel" (Swahili) in addition to Xhosa and Tswana. His comparative observations doubtless provided the foundation upon which Appleyard built. Boyce's greatest contribution to Bantu language study, however, was his discovery and naming of the alliterative concord in Xhosa.[1]

* * *

The increase in the number of published grammars of different African languages about this time made real comparative study possible, So **John Clarke**, the West African missionary, was able to write in 1848:[2]

"The following Tables may interest those who wish to compare the Languages of this part of Western Africa, with those of Bechuana and Kaffraria. There are now printed or in manuscript, grammars of the Isubu, Fernandian, Diwalla, 'Mpongwe, Banda, Kongo, Bechuana and Kaffir Tongues; and the similarity of these in the formation of the plural of Nouns, in the Possessive Pronouns, Alliteral Concord, and Conjugations of the Verb, is apparent."

Referring to the "Kaffirs," Clarke writes:[3]

"The language, with dialectic differences, is spoken by tribes from the borders of Benguela and the shores of the Atlantic, to Mozambique and Zanzibar. And the same class of language prevails from 2 deg. north latitude, behind the Galla country, to 4 deg. north latitude, at the mountains of Romby, in Biafra. Grammars in the Kaffir and Sechuana, and in the Banda, Kongo, 'Mpongwe, Diwalla, and Isubu, with examination of various other tongues, enables philologists to come to this conclusion."

* * *

And now we come to the first serious detailed study of these languages with a view to classification. We have already referred[4] to the important series of articles contributed by **John W. Appleyard** to *The South African Christian Watchman, and Missionary Magazine* in the year 1847. Here is a real commencement of serious comparative philological work on South African languages, and the substance of these articles formed the basis of Lewis Grout's admirable paper, " The Zulu and Other Dialects of Southern Africa,"[1] and were elaborated in the introduction to Appleyard's Grammar of Xhosa in 1850. These articles provide an important landmark in Comparative Bantu studies.

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[1] Page xi et seq. This introduction was reproduced with very slight alteration in the 2nd edition of Boyce's own *Grammar of the Kaffir Language* 1844, see pp. viii et seq.

[1] Cf. "Bantu Language Pioneers of the Nineteenth Century," *Bantu Studies*, Vol. XIV, p. 218.

[2] See his *Specimens of Dialects*, p. 41.

[3] op. cit. p. 87.

[4] Cf. *Bantu Studies*, Vol. XIV, p. 223.

The first paper, " Hottentot dialects," dealt with the " Click class " of South African languages, dividing the " Hottentot family " into (1) Hottentot proper, i.e. Cape Hottentot, (2) Namaqua and (3) Korana, and drawing comparisons between the Copts of Egypt and the Hottentots. Comparative vocabularies of twenty words in each of the three types are appended.

The second, " Hottentot Grammar—Bushman dialects," provides an outline of Korana grammar taken from a manuscript written by the missionary C. F. Wuras, followed by a slight account of the Bushmen, supporting Robert Moffat's suggestion that they are really degenerate Hottentots. This contains no philological information regarding Bushman languages.

The third, " Euphonic Concord—General remarks," deals with general principles of the " Alliteral Class," the " second or principal division of South African languages," their distinguishing feature " alliteration, which is produced by the principle so appropriately termed by its discoverer, the Rev. W. B. Boyce, the Euphonic concord." Numerous examples of this are then given from Xhosa, and the importance of class distinction in nouns emphasised. Considerable space is devoted to a discussion of the probable origin of these languages and Appleyard leans to a connection with Semitic, though he states that "the position of the alliteral class is unique."

The fourth, " The Congo and Damara Dialects " deals with the first two of Appleyard's fourfold division of Bantu into (i) Congo, (ii) Damara, (iii) Sechuana and (iv) Kaffir. Congo he divides into Congo, Bunda and Benguela; and while he divides the Damara into Cattle Damara (" of the same class with the Kaffir and Sechuana," they are the Herero) and Hill Damara, he observes that the language of the latter is "the same as that of the Namaquas."

The fifth, " The Sechuana Dialects," makes a division into Eastern and Western branches. The Eastern include " the Basuto, the Batlokwa, who are better known by the name of Mantatees, the Batau, the Likhoyas," etc. The Western " one spoken by the Barolong, the Batlapi, the Baharutsi, the Bakhatla, the Bawanketsi, the Bamangwato, the Bakwena," etc., all well-known tribes of the Tswana of today. Comparative vocabularies of " Sisuto " and " Sitlapi " are given, followed by a survey of Tswana literature.

The sixth, " The Kaffir Dialects," make a threefold division into Kaffir, Zulu and Fingoe. This division is of great interest and importance. In regard to the branch, Fingoe, Appleyard states that this type was spoken by the Amafengu (now speaking Xhosa), the Amabaca (still speaking a dialect allied to Swazi), the Matabele (not Mzilikazi's tribe, but the Hlubi, remnants of the people of Pakarita, and of Facane, found then in the vicinity of the Caledon River), and the Amaswazi. Comparative vocabularies of these three types are then given, showing the " Fingoe" to be nearer to Zulu than to Xhosa, but with the strange phonetic differences found in Swazi today. A survey of the literature is then added.

The seventh, " Unclassified Dialects of the Alliteral class," touches upon the languages spoken at Delagoa Bay, Inhambane, Sofala and " Juilimane," referring to Yao and Swahili, Nika and Kamba as recorded by Krapf. Useful comparative word lists follow in quite a number of languages of the East Coast.

In his grammar of 1850 where these notes are further elaborated, comparisons particularly between " Kafir " and " Sechuana " are much more developed, and tables of sound-shiftings are given at considerable length.[1] This method of treatment certainly paved the way for Bleek's fuller treatment of the subject, and the later great work of Meinhof.

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[1] *Journal of the American Oriental Society*, Vol. 1, pp. 397-433, 1848.

[1] See pp. 51-56.

Lewis Grout's paper published in 1848 need not be analysed here as it merely summarises, though in a masterly way, the material collected by Appleyard.

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It is only to be expected that a philologist of the calibre of **Ludwig Krapf** should have interested himself in the comparative side of Bantu languages and so we find, in the preface to his *Vocabulary of Six East-African Languages*, published in 1850, the following pertinent remark:[1] " It was in the Year 1844, when the Author . . . commenced his studies of the Suaheli Language on the Island of Mombas . . . he became acquainted with Natives of various and distant countries, who spoke languages—which, departing as they appeared from the Suaheli, were soon recognised to be of remarkable accord with the fundamental substance of the language of the coast, viz. the Suaheli. At that period he was not yet aware of the astonishing fact (which every new philological discovery seems to corroborate), that one common language lies at the bottom of all the idioms which are spoken from the Equator to the Cape of Good Hope."

Dealing particularly with Suaheli, he went on:[2] " It is, as it were, the introduction into the Nilo-Hamitic, or Nilotic family of languages, which must be distinguished from the Nigro-Hamitic or Nigrotic stock of languages. Almost all the tribes which reside in the South of the sources of the Bahr El-Abiad down to the Cape of Good Hope belong to the Nilotic race of Africans. Hence the Author calls their languages the Nilotic family or stock of African tongues, in distinction of the languages spoken in Nigritia in the vicinity of the Niger, which belong to the Nigrotic stock. Which of the Nilotic languages can lay claim to primitiveness, the Author is as yet unable to say. Sometimes he supposed, that the Kikamba language could claim the Superiority but his opinion not being sufficiently warranted, he would rather wave this question, than proceed by guess-work. The languages of the central countries between East and West-Africa, especially around the Sources of the Bahr El-Abiad must first be brought to light, before we can settle this question."

Krapf's contribution may be closed with a quotation[1] from the preface to his *Outline of the Elements of the Kisudheli Language*, also published in 1850: " But it is general philology, or philosophy of languages, and African philology in particular, which may feel interested in a language which is spoken within 10 or 12 degrees of Latitude on the immediate sea-coast of East Africa, and which is only a dialect of a family of languages, ramified and scattered all over South Africa."

* * *

Such was the general position of knowledge concerning these languages when the ability of **W. H. I. Bleek** (1827-1875) was brought to bear upon the problems involved. Bleek's work marked a new era in the study of South African languages.

Wilhelm Bleek was born at Berlin in 1827.[2] His father was " Privat Dozent " of theology there, but next year accepted a professorship of theology at Bonn, and here young Bleek began his studies at the classical gymnasium, finishing at Berlin, where he worked under Lepsius. First he studied theology, then philology, working on Hebrew grammar and its comparison with Arabic. At that time the first manuscript collections of African languages had been sent by the Rhenish mission to Lepsius, and Bleek was given the work of transcribing them, and preparing some vocabularies. He was struck by the great difference between the " Kafir " language and Nama Hottentot, and by the likeness of the latter in structure to Hamitic and Semitic tongues. His enthusiasm was kindled and he determined to devote himself to the study of African languages. Returning to Bonn he took his Ph.D. degree in 1851.

Bleek then went to London with a view to getting to Africa, and was appointed linguist to an expedition to the Niger, but had to turn back from Fernando Po on account of fever. On his return to London he met Bishop Colenso, who was about to start for Natal with a band of missionary workers. Colenso engaged Bleek to accompany them to do certain linguistic work.[1] At Cape Town Sir George Grey asked him to return to the Cape and undertake research work in African languages, as soon as he should be at liberty. After completing his work for the Bishop Bleek spent a year in Zululand thoroughly studying the language and habits of the people. He then returned to Cape Town in 1856 and was appointed Interpreter to the High Commissioner. His duties included linguistic research and the collection and classification of all printed and unprinted works on African, Australian and Polynesian languages. The results of this work he published in *The Library of Sir George Grey*, Vols. I & II (1858 and 1859). After Sir George Grey's recall in 1861, Bleek was appointed, by Grey's special provision, custodian of the Grey collection presented to the Cape Town library. This office he held till his death, and it gave him unrivalled opportunities to pursue his linguistic work, bringing him into contact with missionaries in the field whom he could help and whom he induced to collect material.

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[1] Page iii.

[2] Page v.

[1] Page 6.

[2] Details of Bleek's life were kindly supplied to me by his daughter, Miss Dorothea Bleek of Newlands, Cape.

Dr. Bleek married in 1862 Miss Jemima Lloyd, daughter of Archdeacon Lloyd of Durban. To eke out a small salary he wrote leaders for the *Volkstem* until in 1869 the Queen granted him a Civil Service pension to enable him to devote more time to his linguistic work. Bleek's great work *A Comparative Grammar of South African Languages* was prepared during this period, the first part appearing in 1862 and a section of the second part in 1869. This work will need our careful consideration.

In 1870, however, Bleek had an opportunity of studying the language and folklore of a party of Bushmen who were undergoing sentence on the "breakwater" at Cape Town. As no other work was being done among the Bushmen, who were rapidly dying out, Bleek laid aside his half-finished comparative work, and in co-operation with his sister-in-law, Miss Lucy Lloyd, devoted himself to the task of saving from oblivion the most interesting people of South Africa. Before the publication,[1] however, of the valuable material he collected, Bleek died in 1875.

Much space might be given to an examination of Bleek's earlier papers, in which he set out many of the conclusions which were then crystallising and which he set in more or less final form in his "Comparative Grammar." His doctor's thesis, *De Nominum generibus linguarum Africae australis, Copticae, Semiticarum aliarumque sexualium*, published in 1851 before he had set foot in Africa, was devoted, apart from the apt comparison of Coptic and Hottentot, mainly to a detailed comparison of a number of Bantu languages from available materials. In 1855, after a visit to Western Africa, and on the eve of his departure for South Africa, Bleek read a paper "On the Languages of Western and Southern Africa,"[2] a learned disquisition dealing with the formation of the nouns and aiming at linking up many West African tongues with "the South African languages." He also contributed a number of papers to the *Cape Monthly Magazine*.

All these prepared the way for his magnum opus *A Comparative Grammar of South African Languages*, which appeared in two parts: Part I, "Phonology," in 1862, and Part II, "The Concord," Section 1, "The Noun," in 1869. A much greater work was planned, but Bleek left unfinished notes of Section 2 of Part II dealing with the Verb. His Bushman work diverted his attention from Bantu until his untimely death in 1875. Bleek's work has earned for him the title of "the Father of Bantu Philology," and it was he who first used the term *Bantu*[3] (in the form "Bâ-ntu") to designate these languages. It is interesting to trace the various suggestions for a name before this suggestion of Bleek's became the accepted form. The languages were vaguely referred to as "The South African Languages," as for instance by Balbi in 1826; Prichard had called them "the Kaffrarian Family" as early, if not before that date; Appleyard referred to them in 1847 as "the Alliteral Class," Clarke in 1848 as "the Kaffir Class," Krapf in 1850 as "the Nilotic languages"; in 1852 Barth had used the term "Ba-languages," which gave Bleek the idea for the term "Bâ-ntu" in 1862.

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[1] Bleek says "for the purpose of compiling a grammar of the Zulu Language." (*Transaction of the Philological Society*, 1855, No. 4, footnote to page 41). Bleek's *Preliminaries to a Grammar of the Zulu Language* are in MS. in the Grey Library.

[1] Miss Lloyd published an attractive volume of Bushmen texts in 1911 under the title of *Specimens of Bushman Folklore*, and numerous further texts have since been published by Bleek's daughter in *Bantu Studies*.

[2] Published in the *Transactions of the Philological Society*, 1855, No. 4, pp. 40-50,

[3] According to the late Dr. Alice Werner, this was at the suggestion of Sir George Grey; see *Myths and Legends of the Bantu*, p. 15.

The most important of Bleek's contributions in this work may be summed up as follows:

1. The classification of the language types in South Africa into (a) a South African division of the sex-denoting languages (Nama, !Kora, Cape Hottentot and Eastern Hottentot) and (b) a South African division of the Bantu family. This Bantu family Bleek classified as follows:[1]
    - (i) South-eastern Branch, embracing the three main types, Kafir (with Zulu), Setshuana (with Sesuto) and Tekeza (of Delagoa Bay).
    - (ii) Middle Branch, with Eastern, Interior and Western portions. The Eastern portion comprised (a) the Southern or Mosambique genus (including Tette, Sena, Makua and Kihiau), (b) the Northern or Zangian genus (including Kikamba; Kinika, Suaheli and Kisambala). The Interior portion included Bayeiye, etc. The Western portion comprised (a) the Southern or Bunda genus (including Otyihereró, Sindonga Nano and Angola), and (b) the Northern or Kongo genus (including Kongo and Mpongwe).
    - (iii) North-western Branch, including Dikele, Benga, Dualla, Isubu and Fernandian.

    This is the basis upon which present-day classification rests.
2. The arrangement of the Bantu nouns into eighteen categories, separating singular from plural.[2]
3. The careful detailed study of the Phonology of the languages, with his elaboration of the phonetic rules of palatalisation, assimilation and nasal change.
4. The extensive development of sound-shifting tables,[1] called by him "dialectal transitions of consonants."[2] Bleek used "Kafir" as the basis for the elaboration of this type of "Grimm's Law" for Bantu languages.
5. The handling of the Etymology of Bantu, in which he postulates a disyllabic verb stem with final vowel of unknown quality for which he writes א e.g. TAND-אA.

Bleek, throughout this book compared and contrasted the Hottentot suffix formation with the prefix formation of Bantu. It is still a work of immense value to students of Comparative Bantu.

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A Philologist whose work only indirectly touched upon Bantu studies was **Karl Richard Lepsius** (1810-1884), the famous German Egyptologist, who conducted the Prussian expedition to Egypt, 1842-46. Lepsius' best known works were *Denkmäler aus Agypten und Äthiopien* ("Monuments of Egypt and Ethiopia," 1849-59) *Chronologie der Ägypten* (1848-49), *Briefe aus Ägypten* (1852), *Über den ersten ägyptischen Götterkreis* (1851).

But he was the author of *A Standard Alphabet for reducing Unwritten Languages and Foreign Graphic Systems to a Uniform Orthography in European Letters*, which appeared in 1855. This work had been prepared at the request of several Missionary Societies in London, and the proposals of Lepsius became the basis of many orthographies in Africa.[3] The alphabet was built up on the principle of a simple sign for every basic sound, and the use of diacritic marks, added to the simple sign, for certain definite modifications. Grout went " all out " for the Lepsius system in his 1859 Zulu Grammar, but received so little encouragement that it was dropped in his 1893 edition. Professor Carl Meinhof was perhaps Lepsius' most ardent and consistent follower, and the impetus he gave to the system caused its adoption by most German workers on African languages.

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[1] Bleek's terms for the various languages are unaltered.

[2] This classification he had already set out in 1856 in the Introduction to his *Languages of Mosambique*, though in 1851 he had made a classification into 16 categories; Hahn works upon 18 classes in his *Grammatik des Herero* (1857, Foreword written in 1854), evidently inspired by Bleek, to whom he refers.

[1] First discussed by Appleyard in 1847; and first set out by Bleek at p. 40 of *The Library of Sir George Grey*, Vol. I, 1858.

[2] See pp. 81-88 of his "Comparative Grammar."

[3] See the full history of this in the Introduction to L. Grout's *Isizulu* 1859, pp. xxvi-lii.

In 1880 Professor Lepsius published at Berlin his great *Nubische Grammatik*,[1] in the introduction to which he made his contribution to Comparative Bantu studies. He divided[2] African languages into :

- A. Original African Negro :
  - I. Bantu-Negro :
    - (a) Western : 1. Herero.
      - 2. Mpongwe.
      - 3. Fernando Po.
    - (b) Eastern : 4. Kafir (a) Xhosa (b) Zulu.
      - 5. Tswana (a) Sotho (b) Rolong.
      - 6. Swahili.
  - II. Mixed-Negro :
    - (a) Western : e.g. Efik, Ibo, etc.
    - (b) Middle : e.g. Ful, Kanuri, etc.
    - (c) Eastern : e.g. Dinka, Shilluk, etc.
- B. Hamitic :
  - I. Egyptian.
  - II. Lybian.
  - III. Cushitic.
  - IV. Hottentot.
- C. Semitic :
  - I. Habesh (of Abyssinia).
  - II. Arabic.

Lepsius followed this classification with a careful description of twelve characteristics of the Bantu family, particularly to shew the contrast with Hamitic, as follows :

1. Prefixes of Nouns according to classes.
2. Absence of Grammatical Gender.
3. Nominal Prefixes.
4. Personal Pronouns prefixed to Verbs.
5. Euphonic Alliteration.
6. Use of Prepositions instead of Postpositions.
7. Position of the Genitive after its governing Noun.
8. Position of the Subject before the Verb, and the Verb before the Object.
9. Insertion of a Pronoun after the Object, and before the Verb.
10. Termination of Syllables in Vowels only, which may be modified by a Nasal.
11. Frequent strengthening of the Initial by a Consonantal Prefix principally by a Nasal.
12. The use of Tones.

Of these characteristics, probably today only Nos. 1, 5, 10 and 12 would be mentioned among the dozen hall-marks of Bantu languages ; but they were at least a concrete attempt to set out the features.

The rest of this valuable introduction was devoted to short descriptions of the other languages in his classification, including a careful consideration of the interesting Ful language. Of great importance, too, is his consideration of Hottentot as a Hamitic tongue and his comparisons with Egyptian and Beǵa. The whole introduction of 126 pages entitled " Die Volker und Sprachen Afrika's " constitutes a most learned treatise.

It must not be forgotten, also, that Lepsius had had a profound influence upon Bleek, who studied under him in Berlin about 1850. Lepsius put Bleek in first touch with African languages and was probably responsible for his turning his whole attention to African philology.

* * *

In 1883 came another important contribution to Comparative Bantu studies when **Robert Needham Cust** (1821-1909) published his *Sketch of the Modern Languages of Africa* in two volumes, the second of which was devoted almost entirely to the Bantu languages.

Cust was born in Bedfordshire in 1821, being second son of H. C. Cust, Canon of Windsor, by his wife Lady Anna Maria Elizabeth, eldest daughter of Francis Needham, first earl of Kilmorey; his father was second son of the first baron Brownlow. Educated at Eton, he accepted nomination for the Indian Civil Service, and distinguished himself in Sanscrit, Persian, Arabic and Hindūstāni. At Calcutta in 1843 he completed his studies at Fort William College with great distinction, qualifying also in Bengālī. After initial work in the public service, he became personal assistant to Major Broadfoot and took part in fighting the Sikhs. When Major Broadfoot was killed at Ferozeshah, Cust temporarily carried on the Major's duties as agent to the Governor-general of the then North-west frontier. After this he was appointed in charge of a district of the newly-formed province of the Punjab. Cust lived alone among the people, and developed an intense love for them and for India.

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[1] pp. cxxvi+506.

[2] This division is given with considerably more detail on pp. xvii and xviii.

After the annexation of the Punjab, Cust was commissioned to report on the country and its capabilities and after two years of immense labour presented his report in 1851. After certain important appointments in India, he returned to England and was there at the outbreak of the mutiny, being called to the bar in 1857. Returning to India he became Commissioner of Lahore. His first wife died in 1864, and, on the death of his second wife in 1867 Cust retired from the Indian service, nine months before completing his service for full pension.

In England he devoted himself to Oriental and religious studies, helping for a time in the preparation of the Oxford Dictionary edited by Sir James Murray. Between 1870 and 1909 he published more than sixty volumes on Oriental philology or phases of religious belief. His *Modern Languages of the East Indies* (1878) was followed by his scholarly description of the Modern Languages of Africa (1883), which was translated into Italian in 1885. Then appeared *Oceania* (1887), *The Caucasian Group* (1887), *The Turki Branch of the Ural-Altaic Family* (1889). *Linguistic and Oriental Essays* in seven series, were issued between 1880 and 1904. Less laborious works included, apart from translations into French, Italian and Greek, *Poems of Many Years and Places* (2 series 1887, 1897), *Clouds on the Horizon or Forms of Religious Error* (1890), *Common Features which appear in all Religions of the World* (1895), *Five Essays on Religious Conceptions* (1897), and *Life Memoir* (1899).

Cust was prominent in the proceedings of many literary societies. With the Royal Asiatic Society, which he formed in 1851, his association was especially long and active; from 1878-1899 he was honorary secretary; he was also a Vice-president, and read many papers at its meetings. He made annual tours abroad through Europe, West Africa and Western Asia, and deeply interested himself in missionary enterprise and philanthropic work, serving on the committees of the Church Missionary Society and the Society for the Propagation of the Gospel. He was made honorary LL.D. of Edinburgh University in 1885. Cust had attended the coronation of William IV in 1831, of Queen Victoria in 1838 and that of Edward VII in 1902. Although his eyesight failed in 1904 he pursued his studies with assistance till within a year of his death in 1909.

Apart from his direct contribution in the "Modern Languages of Africa," Cust's influence upon Bantu studies must have been very extensive though difficult to assess. Several S.P.C.K. publications, such as Shaw's *Pocket Vocabulary of East African Languages* (1885) and Last's *Kaguru Grammar* (1886), bear prefaces by him, and in many other ways he was in touch with missionaries and encouraged them in their literary labours. Zabala's *Diccionario Pámue-Español* was published, not only with a preface by Cust, but at his expense, as he states: "I have undertaken to publish it at my own charges, as my contribution to a subject in which I have such a deep interest." He tells how he came to turn his attention to African languages: "I was Honorary Secretary of the Royal Asiatic Society, member of the Council of the Royal Geographical Society, of the Committee of the Church Missionary Society, and of the British and Foreign Bible Society, of the Translation Committee of the Society for Promoting Christian Knowledge, and the subject of Africa, its tribes, and Languages was always coming up. I naturally looked about for some book which would tell me generally about these Languages, and no doubt the "Universal Ethnology" of F. Müller of Vienna did tell me a great deal, but the African Chapters were scattered through a volume, devoted to the whole World and the purport of the Treatise was Ethnological rather than Linguistic."[1] And so, after publishing his *Modern Languages of the East Indies*, he turned his thoughts to Africa, and the result was *A Sketch of the Modern Languages of Africa*. This was a classified mass of information upon every language and dialect which he could trace from published and unpublished sources and from numerous scholars, missionaries and others at work in Africa. As Cust realised would be the case, much of his material can now be revised in view of present knowledge, but his book constituted a valuable cyclopaedia of reference, and a very real contribution to comparative studies.

As regards the actual classification of African Languages, Cust adopted that put out by Friedrich Müller,[2] the German philologist, who made the following division:

I Semitic family.[3]
II Hamitic group.
III Nuba-Fulah group.
IV Negro group.
V Bántu family.
VI Hottentot-Bushman group.

The present accepted classification is really only a modification of this, and Müller's sixfold division represents a big step forward; especially is this so when it is known that less than 50 grammars and dictionaries on all Africa were available to him.

Cust's work was a collation of knowledge and it is therefore not surprising to find that he adopts Lepsius' twelve characteristics when describing the features of Grammatical Structure peculiar to the Bantu family.[1]

Cust settled his sub-classification of the Bantu family upon the following lines:

A. Southern Branch
    I Eastern Sub-Branch.
    II Central Sub-Branch.
    III Western Sub-Branch.
B. Eastern Branch
    I Southern Sub-Branch.
    II Eastern Sub-Branch.
    III Western Sub-Branch.
C. Western Branch
    I Southern Sub-Branch.
    II Northern Sub-Branch.

This division resembles the termination used by Bleek, and is far too much of a geographical division to prove of real value except in certain areas.

In all, Cust devotes 145 pages to the Bantu family, in which he classes 168 names, acknowledging the need for correction and amplification. His method of handling collation work of this type is entirely scientific and he fully acknowledges the work of others and the possible inaccuracies of a treatise at that stage of knowledge. "No one will sit in severer judgment on the short-comings of this work than I shall myself, and my first step after correcting my last Proof-Sheet will be to make my first entry by way of correction and addition in my interleaved copy." No true scientific worker could do more.

* * *

The first real attempt at a comparative Bantu grammar was made by the late **Father J. Torrend, S.J.** who published in 1891 his *Comparative Grammar of the South-African Bantu Languages*. This is a notable landmark in Bantu Studies.

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[1] Modern Languages of Africa, pp. 1, 2.

[2] Born in Bohemia in 1834, and died at Vienna in 1898; professor of Comparative Philology and Sanscrit at the University of Vienna, having entered the Imperial Academy of Sciences in 1869. His chief works were *Précis de linguistique* (1876-1887) and *Ethnographie générale* (1873), referred to by Cust as "Outline of Philology" and "Universal Ethnology." Müller had written the "Linguistischer Theil" of the publication *Reise der Österreichischen Fregatte Novara um die Erde in den Jahren 1857, 1858, 1859*, (Vienna 1867). Of this pp. 20-50 were devoted to Bantu, his quotations being mainly from Xhosa. He treated (in Ch. I) of African Languages under three heads—Hottentot, Bantu and Hamitic. His other chapters dealt with Indian, Australian and Malayo-Polynesian Languages.

[3] The term "family" indicates derivation from a common stock, while "group" merely indicates similarity of type.

[1] See page 51.

Torrend[1] was born at St. Privat d'Allier in France on October 4th, 1861, and after studying from 1872-1882 in various Jesuit colleges in France, Belgium and Ireland, came to South Africa where he engaged in teaching at St. Aidan's College, Grahamstown, from 1883-1884. He soon became interested in Bantu languages, being particularly stimulated to study therein by Father Depelchin, S.J. who had recently returned from missionary explorations in the Zambesi area. Torrend says he never forgot Depelchin's admonition: "For the love of God learn the Native language. I have come across millions of men who need but to hear Our Lord's words and deeds to become so many good and happy Christians." While at Dunbrody, Cape Province from 1884-1887 Torrend pursued studies in the sciences, philosophy and the Xhosa and Tonga languages. Of the former of these two Bantu tongues he published an outline grammar in 1887, which showed his sound grip of the structure. Tonga (of the Middle Zambesi) he studied from three youths brought down to the Colony by Depelchin, and Torrend's interests were turned towords Comparative Studies. From 1887-1889 he assisted in the commencement of the Keilands Mission in Kaffraria. In 1889 he went to St. Aloysius' College, Jersey, for divinity studies and was employed in writing his "Comparative Grammar," which appeared in 1891. Torrend was then 30. During 1892 and 1893 he studied in Portugal, and thence proceeded as a missionary to Quelimane in Portuguese Zambesia, and undertook studies in Chwabo. In 1895 he commenced the Mission at Shupanga (where Mrs. David Livingstone is buried) and laboured there till 1900, his linguistic interests being in Sena, in which language he produced some publications. During 1900 and 1901 Torrend "as a rest" (as he expresses it) taught English and German at Campolide College, Lisbon; and then from 1901-1905 continued missionary work at Boroma near Tete and at Miruru near Feira, both on the Zambesi River. His language here was Nyungwe. In 1905 he and Father Moreau founded the Chikuni Mission in Tongaland, not far from Monze, and then Torrend went on to establish the Kasisi Mission near Lusaka. Here he was stationed from 1905-1922 and his linguistic interests were in Tonga and Mukuni. After a break of six months taken in the Cape Province, Torrend spent 1922-1923 studying Shona in Southern Rhodesia; he then returned to his work at Kasisi and finally at Chikuni from 1925 till his death on March 11th, 1936. It was during these latter years that he began again more intense linguistic work, publishing his ***English-Vernacular Dictionary of the Bantu-Botatwe Dialects of Northern Rhodesia*** and putting out readers and service books in Tonga as well as a Tonga Grammar in the vernacular and a larger one mimeographed in English.

From the above it will be gathered that Torrend had unrivalled opportunities of studying Bantu, being stationed for periods in Xhosa, Chwabo, Sena, Nyungwe, Mukuni, Tonga and Shona areas. His great comparative work was done after contacts only with Xhosa and limited Tonga speakers. From that time (1891) till the latter years of his life (1930-36) his publications were trifling: a new burst of linguistic energy emerging with his recent Tonga-Mukuni work. It is surprising that a man with such real ability and love of language should have let forty years pass without profitable output. Perhaps this can in part be explained. Father Torreng developed some strange convictions regardind Bantu. One was that the correct order of the Bantu noun classes tallied with the "days of the creation." This idea he propounded as early as 1903 in a manuscript entitled ***Nouvelles études bantoues comprenant surtout des recherches sur les principes de la classification des substantifs dans les langues d'Afrique australe, avec les rapprochements curieux entre cette classification et les premiers chapitres de la Genèse, premier fascicule, Le chisendzi de Tete ou Chinyungwe.*** This MS. came into the hands of D. de Gregorio, who used the material contained in it in his article "Etymologie des Soi-disant Préfixes Dérivatifs des Langues Bantoues, sur la base d'une étude spéciale sur le

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[1] From information supplied to me by Father Torrend in a letter of the 22nd Feb. 1935. An interesting obituary notice by P. M. Schulien, S.V.D. appeared in *Annali Lateranensi*, Vol. I, pp. 275-282, 1937.

Chinyungwe,"[1] while criticising Torrend's main thesis.[2] This action was resented by Torrend, who wrote to me that it was "published without my authorization and without correction of proofs." He added humorously: "This was partly republished in Anthropos, when I was thought to have been eaten by a lion, but stopped half-way when I gave sign of life." There is no doubt that Torrend felt deeply the opposition of scholars to some of his dearest ideas: he held to this theory of noun-class order, but did not bring it prominently forward again until 1924 when he published in the "Proceedings of the Rhodesia Scientific Association" his "Bantu Classification of the Nouns from a Scientific Point of View;" while as late as 1935 he wrote to me as follows: "I now expect a miracle. This will consist in convincing you, nay even Meinhof, that I have at last got very near to the correct order and range of meaning of the Tonga classes of nouns, therefore of some Ur-Bantu." Probably this feeling kept him from entering the publication field during those forty lean years. We are however concerned here with what he wrote in 1891.

Torrend's "Comparative Grammar"[3] was a great work for the time when it appeared. Working on the basis of examples from some thirty "clusters," each represented by several languages or dialects, he worked laboriously through first a phonetic study and then the grammar, dealing with substantives, adjectives, pronouns and verbs, and appending certain textual specimens from Tonga and Xhosa. In his introduction Torrend made a classification of South-African languages into (a) Hottentot-Bushman, (b) Masai and (c) Bantu. This lacks proportion, Masai being but one of several intrusive Hamitic enclaves into the North-eastern Bantu area. Strange, however, is his classification of the Bantu languages themselves. On insufficient evidence and erratic similarities he connects Tswana, Makua and Mpongwe, and then classifies:

I. Main Group (all which do not belong to the above three).
II. Kua Group (i.e. Makua, etc.).
III. Fernandian (i.e. the dialects of Fernando Po, spoken by only a few thousand people).

He then gives an interesting section on the sources of Bantu literature, with valuable records of early Catholic work, and goes on to state his basis of comparison as Tonga (of the Middle Zambesi), and acknowledges many of his references as coming from Cust. Then follows a very hypothetical chapter on the origin of the Bantu.

His first chapter is devoted mainly to Phonetics, in which Torrend showed himself to be well abreast of his day, though he missed many essental distinctions which we need in comparative work today. Chapter II deals with "substantives," and Torrend recognised 18 classifiers (as Bleek), but throughout bracketed singular and plural together making in all 12 classes; this necessitated certain sub-classes in certain languages where the bracketing differed. This was a retrograde step in treatment of comparative work. A section is given on "Articles"[1] in which he considered the initial vowel of the noun prefix of certain languages as a definite article: he has not been alone in this unwarranted assumption. Throughout this chapter Torrend gave full play to his flair for etymology, and much of his work is marred and confidence in his judgment shaken by the wildest flights of imagination in connection with this. One example here will suffice: "*Mu-sana* 'the spine, the back,' lit. 'that upright member which sends its own shoots through the body.' From *sa*, notion of 'thrusting something through a body' (cf. *-yasa* 'to thrust a spear, to shoot,') and *na* or *ana*, notion of 'close union.'" Such examples could be multiplied almost indefinitely, and Torrend went near to being side-tracked from serious scientific Bantu work, as were F. W. Kolbe in his *Language Study based on Bantu*,[1] W. A. Crabtree in his *Primitive Speech*,[2] and W. Wanger in his *Scientific Zulu Grammar*[3] and especially his *Comparative Lexical Study of Sumerian and Ntu.* Fortunately Torrend was just saved from this ; but his book has to be handled very critically. Along with such etymologies are to be classed such weak explanations as : One of the significances of the BU-MA class, § 456 : " Things which come into being or grow to light collectively and by gentle heat, as *bu-ana buenkuku* ' chickens,' *bu-izu* ' grass,' etc." or, when explaining the " classifier MA-" in § 460 as implying " readiness to reaction," when he writes : " ' night,' which to a Kafir mind is nothing else than the universal silent renewing of nature after ' the fall of the sun.' "

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[1] Report of the "Congrès International des Orientalistes," 4th Section, pp. 147-171; 1904. A fuller publication appeared in Gregorio's *Studi glottologici taliani*, Vol. IV, 1907, pp. 1-83.

[2] He writes: "Quoique la tentative d'établir des rapports entre les classes de substantifs bantous, comme ou les appelle, et les "jours de la création," selon la Genèse, ne piusse certainement convaincre personne, le matériel riche et sûr d'une langue bantoue, si peu connue, offert par ce travail, sera apprécié et utilisé par tous ceux qui s'occupent de linguistique africaine, et même de linguistique en général." (p. 154).

[3] pp. xlviii+336, and reference language map, 1891; with additions and corrections pp. 4, May 1892.

[1] §§ 317-321.

Chapter III deals with the adjective ; Chapter IV with the pronoun, and in this latter Torrend confuses concords and pronouns and makes a classification far from the genius of Bantu. In his treatment of the verb in Chapter V, Torrend acknowledges the complexity of the Bantu verb, but he includes a useful section (§§ 873-1018) dealing with " Auxiliaries ; " here however he has confused auxiliary or rather deficient verbs with verbal auxiliaries. He reveals a grasp of the significance of the Copulative, even though he does speak of " the copula understood." His final treatment of derivative verbs, confined to some seven species, forms as adequate summary.

Torrend's " Comparative Grammar " was a great effort for 1891, and right down to the present day no-one has yet attempted to produce a work on a similar scale. Meinhof's work has its particular bias towards establishing Ur-Bantu. Werner's " Bantu Languages " was more in the nature of a popular outline. It is a pity that Torrend never quite got over his " etymological fever," or he might, during the 40 years, with all the added data and information accumulated during that time, have revised and rewritten a great comparative study. But there, Torrend was a conservative ; he could not be shaken from his cherished ideas, and he ever retained something of the mediaeval in his grammatical attitudes.

In the *Revue Critique* in 1892, M. Victor Henry, professor at the Collège de France, criticised Torrend for taking Tonga as his basis of comparison. He did not believe any Bantu language could be considered as a standard, and regretted that Torrend had not essayed to go back to the " type préhistorique." In this he anticipated what Meinhof so successfully devoted his scholarship to a few years later.

J. van den Gheyn, S.J., devoted, also in 1892, a 29-page pamphlet, *La Langue Congolaise et les Idiomes Bantous d'après le récent ouvrage du P. Torrend, S.J.*, to a most appreciative review of Torrend's work, and says that Henry is asking for the impossible. That the distribution of the African languages was, even at this time, little appreciated is evidenced by van den Gheyn's exposing of the ill-informed statement of M. Th. Grimal de Guiraudon at the Vienna Congress of Orientalists, in 1886, when he divided African languages into two large groups—prefixal languages (i.e. Bantu) and isolated languages " familles de dialectes qui n'ont entre elles que peu ou point de parenté grammaticale, et que j'appellerai langues soudaniennes ; "[1] thus entirely overlooking the position of Semitic and important Hamitic languages.

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Probably the greatest figure in Comparative Bantu philology is **Carl Meinhof** of Hamburg, whose two comparative works, *Grundriss einer Lautlehre der Bantusprachen* (1899) and *Grundzüge einer vergleichenden Grammatik der Bantusprachen* (1906), marked a new scientific approach, and brought all the care of real scientific research to bear upon the subject.

Meinhof was born on 23rd July, 1857, at Barzwitz in Kreis Schlawe in Pommern, where his father was pastor. After studying in Halle, he became a gymnasium teacher for seven years, and then for seventeen years a pastor at Zizow in Pommern. Meinhof had come into contact with African Natives in his youth, some of whom had been sent to Germany from various mission fields. His interest in African languages was thus aroused. At one period a Duala man was sent to him for German tuition, but he took the opportunity of learning Duala from him. He assiduously studied the published works dealing with African languages and became an ardent disciple of Lepsius, whose " Standard Alphabet " he accepted, and still advocates warmly today.

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[1] 1888 ; but compare his earlier valuable *English-Herero Dictionary* of 1883.

[2] Part I, " A Study in African Phonetics," 1922 ; Part II, " The Prefix System of Bantu," 1922 ; in contrast to his real contribution to Ganda Grammar in 1902 and 1921.

[3] 1927 : a very great work marred by absurd Sumerian derivations.

[1] *Verhandlungen des VII internationalen Orientalisten-Congresses :* Aegyptisch-Afrikanische Section, p. 68-69.

In 1899 he published in Leipzig the first edition of his epoch-making *Grundriss einer Lautlehre der Bantusprachen.* In this Meinhof, using for his detailed analyses the Bantu languages of Pedi (Northern Sotho), Swahili, Herero, Duala, Konde and Sango, demonstrated the laws of sound-shifting between these languages, all of which, with the exception of Pedi, were in then German colonial territory. Unlike his predecessors, Appleyard, Bleek and Torrend, Meinhof did not take as his ground-form for comparison any of the living Bantu languages, be it Xhosa as Bleek or Tonga as Torrend ; but, following a most detailed study of Bantu phonology, he postulated an original parent Bantu language, an Ur-Bantu, from which the modern Bantu languages have sprung. Since Bantu languages have only been reduced to writing since the advent of the White man, with the one exception of Swahili which has been written in Arabic script for a few centuries, we have not got historical evidence of sound-changes or vocabulary or grammatical development which we can study. Meinhof was forced to work backwards, and what he has demonstrated in this book cannot, in the circumstances, be other than a hypothetical reconstruction. Other investigators may differ from him in points of detail, but it cannot be denied that his hypothetical forms provide a sound and useful basis for comparative work.

He postulates three basic vowels, *a*, *i*, *u*, with four light mixed-vowels,[1] *e*, *o*, *e*, *o*, and two heavy mixed-vowels, *î*, *û* ; these latter particularly being the cause of certain drastic sound-changes. His basic consonants are as follows :

Plosives	Fricatives	Nasals	Semi-vowels
k	*γ*	*ṅ*	—
t	*l*	*n*	*y*
p	*v̱*	*m*	*w*

to which he adds the derived sounds : *ḵ*, *ṯ*, *γ̱*, *ḻ*.

So satisfactory have been these postulations that Meinhof has not found it necessary to make any alteration in this basis, though the 2nd edition of his work appeared eleven years later, and the 3rd, his English *Bantu-Phonology*, as recently as 1932.

The book opens with a chapter on Orthography in which he sets out his table of consonants according to Lepsius. Certain modifications, to meet special Bantu needs, were made in this system by Meinhof in the later editions. The orthographic principle followed was that of a basic symbol, e.g. *t* with diacritic modifications, e.g. *t̰* (lateral), *ṭ* (cerebral), *t̪* (dental) ; and this system has been followed by most German recorders of Bantu languages. The system has its advantages in that for practical purposes in an individual language the diacritic may sometimes be omitted ; it has, however, been strongly held that the principle of separate symbols for different phonemes, as advocated by the International Phonetic Association, is more scientifically correct and upon this point Professor Meinhof differed strongly from the International Institute of African Languages and Cultures, from the Executive Council of which he withdrew soon after its inception.

In the next chapter he set out his thesis concerning Ur-Bantu. After this follow detailed comparative analyses of each of the six Bantu languages specially studied. In the *Bantu-Phonology*[1] of 1932, the languages chosen for this study were altered to Pedi, Zulu, Swahili, Konde and Kongo. Appended is a list of the commonest Ur-Bantu roots, each showing its modern form in the languages under consideration.

Too much importance cannot be attached to this work. The phonetic analyses in this book became the pattern, not only for much subsequent work by Meinhof, but for that of many other German researchers, numbers of whom were pupils of his. The work he did on Ur-Bantu roots was continued and expanded later by O. Dempwolff[1] and W. Bourquin[2] and provides the basis for valuable comparative root studies.

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[1] i.e. vowels of secondary derivation, due to a coalescence of some type.

[1] Edited by N. J. van Warmelo.

In 1902 Meinhof went to Zanzibar for research on a stipend from the Government. From 1903-1909 he taught at the Seminar in Berlin, and from 1909 onwards was on the staff of the Kolonialinstitut in Hamburg. While in Berlin he was responsible for the remarkable series of "Linguistische Studien in Ostafrika" which were published in the *Mitteilungen des Seminars für Orientalische Sprachen*, Suaheli, Sambala, Namwezi and Sukuma appearing in 1904, Digo, Nika and Pokomo in 1905, Bondei, Zigula, Mbugu and Mbulunge in 1906, Dzalamo and Ndorobo in 1907, Makua and Yao in 1908.

Meinhof's work at this time was not confined to Bantu languages. In 1905 he published in the *Zeitschrift der Deutshen Morgenländischen Gesellschaft* a considerable paper entitled "Hottentottische Laute und Lehnworte im Kafir," and a further work on Hottentot, his *Lehrbuch der Namasprache* appreared in 1909.

Meanwhile, in 1906, Meinhof published the companion volume to his "Lautlehre," under the title of *Grundzüge einer vergleichenden Grammatik der Bantusprachen*, a reconstruction of the grammatical forms of Ur-Bantu. Though this book has not attracted the attention accorded to his "Lautlehre," Meinhof's "Grammatik" is a work worthy of deep study by students of Bantu. In it he deals with the basic structure of the Noun, setting out the hypothetical forms for 21 class prefixes and indicating as far as possible the significations of these classes. Meinhof had a much greater amount of first-hand material to work upon than Bleek, and he used it to good advantage in this work. He had pointed out in his "Lautlehre" (1899) that Bleek had not included the prefix *ipî* which he numbered 19 ; in his "Grammatik" he now added two further prefixes, viz. the augmentatives, *uɣu-* and *iɣî-*. More recent investigations have added to Meinhof's 21, two more classes : 15a, *uku-* and 20a, *aɣu-*. Meinhof's treatment of the development of the pronouns, with his deductions regarding the Ur-Bantu forms, reveals masterly handling, and a real scientific approach to the subject. He particularly deals with three considerations : (i) What common derivation have the pronouns of the various Bantu languages ? (ii) What connection is there between the absolute pronouns and the "conjunctive" (i.e. verbal concords) ? and (iii) What connection is there between the "personal" (i.e. absolute) and the possessives ? The rest of the book is of less importance than these first two chapters. He then deals with the Numeral, the Verb (in too cursory a fashion), the "Particle" (a strange mixture of oddments including conjunctions and interjections), and gives a short section on Syntax. To this are added an appendix of examples and a full index.

Soon after Meinhof's appointment to the Seminar für Kolonialsprachen in Hamburg, he founded the well-known Journal, *Zeitschrift fur Kolonialsprachen*. From its inception in 1910 Meinhof has been editor, and through all the years has stimulated the production of valuable papers mainly on African languages. Contributions from his own pen have been numerous and varied. Between 1915 and 1919 he published a large amount of language material entitled "Sprachstudien im aegyptischen Sudan ;" this dealt with many languages, all non-Bantu, divided under four heads : Präfixsprachen, Sudansprachen Nubischen Dialekte, and one Hamitensprache. The loss of the German colonies at the end of the Great War resulted in a change of title with this journal, which became the *Zeitschrift für Eingeborenen-Sprachen*. The journal, which is possibly suspended during the Nazi War period, has provided an outlet for the contributions of most of the best-known writers on African languages, and is a scientific paper of great value.

In 1910 Meinhof wrote a popular little introduction to African languages entitled *Die Moderne Sprachforschung in Africa*, which was translated by Miss A. Werner and published in 1915 as *An Introduction to the Study of African Languages*. During this period he produced several little language handbooks: Herero (1909), Swahili (1910) and Duala (1912).

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[1] "Ostbantu-Wortstämme," in *Zeitschrift für Kolonialsprachen, VII.*

[2] *Neue Ur-Bantu-Wortstämme*, Berlin 1923.

In 1912 appeared his great study, *Die Sprachen der Hamiten*, a book of great importance to students of Hamitic languages.

In 1927, when 70 years old, Meinhof who had been presented with a "Festschrift" in honour of his years of scholarship, visited South Africa with Frau Meinhof and lectured at the Universities. Even then he could not keep from research and visited a mission where he could contact Korana Hottentots. This resulted in his publishing in 1930 *Der Koranadialekt des Hottentottischen*. He had previously published a grammatical outline and vocabulary of one of the Southern Bushman dialects.

All this intense study and linguistic output has earned for Meinhof the premier place among exponents of Bantu philology and his comparative studies have secured a lasting position in the equipment of all serious students of Bantu.

* * *

A picturesque figure in Bantu language studies is that of **Sir Harry Johnston** (1858-1927), whose interest in Africa was of the keenest, his versatility taking him from military expeditions and administrative duties to all the realms of natural history and the intricate study of every African language upon which he could lay hold. In Bantu studies he will be remembered mainly for his theory of the origin and migration of the Bantu, for his computation of the date of these migrations, and for his monumental *Comparative Study of the Bantu and Semi-Bantu Languages* in two large volumes.

Harry Hamilton Johnston was born in London in 1858. His father had travelled widely and was a member of the Royal Geographical Society, while his mother came of artistic stock. From them he inherited similar interests. He was still in his teens when his first Academy picture was accepted and at King's College he exhibited unusual linguistic talent. He first visited North Africa in 1879 and his first journalistic coup was in describing the French annexation of Tunis. It was eighteen years later that he returned there as Consul-General and he was destined to take a most prominent part in the "Scramble for Africa." In 1882 he accompanied Lord Mayo as naturalist to the interior of Angola and thence to the River Congo, as a result publishing his first book profusely illustrated by his own sketches. In 1884 he led an expedition to Mt. Kilimanjaro, and by his treaties became one of the founders of Britain's East African dominions. His book on Kilimanjaro (which contained valuable linguistic material) brought him public notice and he was persuaded to enter the consular service. After serving at Old Calabar, Cameroons and Portuguese East Africa, he began a war, first with his pen, then with his sword, against slavery in Africa. He raced the Portuguese Major Serpa Pinto for the possession of what became British Central Africa, and on the shores of Lake Nyasa he fought a long naval and military campaign against the Arab slave dealers. Johnston was knighted in recognition of his seven year's rule of British Central Africa. A great book on this province contained careful data on the ethnology, anthropology, climate, resources, and natural history of the country.

After his consular work in Tunis, Johnston became Special Commissioner and Commander-in-chief in Uganda when he did a great administrative piece of work. Throughout all his contact with Africans he missed no opportunity to collect vocabularies and other linguistic material, and he himself considered his "Comparative Study" the greatest work of his life.

When restoring some Pygmies to their home in the Congo Forest Johnston discovered the okapi. One of the leading passions of his life was the preservation of the wonderful fauna of Africa, not only in museums, but alive in game reserves.

Later, health forced him to spend the rest of his life out of Africa. He was for long President of the African Society and was gold medallist of the Royal Geographical Society. He died in 1927.

Johnston made important contributions to our knowledge of Bantu languages in several of his larger books. One of the most important of these was in *The Kilimanjaro Expedition* (1886) in which pages 446-534 were devoted to studies of Masai and the Bantu languages of Chaga and Taveta. In this he first outlined his views on the migrations and date of movement of the Bantu. These views were later summarised in his article "Bantu Languages" written for the *Encyclopaedia Britannica* (1911). Here he wrote:

> "The present writer, relying on linguistic evidence, fixed the approximate date at which the Bantu negroes left their primal home in the very heart of Africa at not much more than 2000 years ago; and the reason adduced was worth some consideration. It lay in the root common to a large proportion of the Bantu languages expressing the domestic fowl—*kuku (nkuku, ngoko, nsusu, nguku, nku)*. Now the domestic fowl reached Africa first through Egypt, at the time of the Persian occupation—not before 500 to 400 B.C. . . Yet the Bantu people must have had the domestic fowl well established among themselves before they left their original home, because throughout Bantu Africa . . . the root expressing the domestic fowl recurs to the one vocable of *kuku* . . . . Among those Negro races which do not speak Bantu languages, though they may be living in the closest proximity to the Bantu, the name for fowl is quite different."

Such evidence is far too slender for so great a thesis.

Mainly judging Fula as an important link in the formation of Bantu, Johnston deduced the probable focus of Bantu development to be somewhat south of Lake Chad,[1] with a secondary focus north-west of Lake Victoria. In this map, which is rather unconvincing, he outlines boldly the probable migrations of the Bantu. Johnston was the first to use the happy term "Semi-Bantu" for those Bantoid languages found in West Africa. His great linguistic work was *A Comparative Study of the Bantu and Semi-Bantu Languages* in two large volumes.[2] Volume I contains a useful chapter on the "History of Research into the Bantu Languages," followed by one on the "Distribution and Characteristcs of the Bantu Languages." There is a great deal of controversial and speculative matter in the latter chapter. He sums up the characteristics as: (1) vowels of Italian type; (2) agglutinative construction; (3) unchanging root frequently monosyllabic; (4) substantives divided into classes or genders indicated by prefix; (5 & 6) the principle of concord; (7) use of suffixes; (8) no sex gender; (9) numeration originally decimal; (10) use of directive 'n-' before pronouns; (11) root of the verb the singular of the imperative; (12) prepositions not postpositions used. Exception may be taken to several of these propositions, particularly to Nos. 9 and 12; and Johnston has certainly not improved on Lepsius whom he criticises in a footnote.

After this Johnston proceeds to set out "Illustrative Vocabularies of 276 Bantu and 24 Semi-Bantu Languages and Dialects." His choice of words is very sound and useful in the main, though such a word as "ant" is too vague for Bantu languages which have as many terms as species and do not employ a generic term. The same criticism may apply to certain other words. But the main criticism of this herculean work is that the author was not discriminating in his sources or the reliability of his material, and a score of corrections could be made on almost every page of the book by people really conversant with the languages. Students have to be warned against accepting anything from these vocabularies without checking. Pages 785-815 contain most valuable bibliographical material, revealing the varied sources of the author's information, published works, manuscripts, his own researches, and the numerous returns to his vocabulary questionnaire.

The second volume is a recasting of the vocabularies comparatively dealing with each English word in all its equivalent Bantu forms. This is very useful for reference and may put many a researcher on the road to his goal; but, here again, the utmost care must be exercised in accepting any entry without checking. The late Dr.

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[1] See his map on page xii on the 2nd vol. of his "Comparative Study."

[2] Vol. I, pp. xiii+815 published by Oxford University Press in 1919, and Vol. II, pp. xii+544 (with large folding map) published in 1922.

Werner's appraisement[1] regarding Johnston's work was: "It is in his introductions—his phonology, and, in some cases, his views on grammatical points, that are open to question."

* * *

One who did more than any other in England towards popularising the study of Bantu languages was **Alice Werner** (1859-1935). Her pen was facile in depicting the wonder and the regularity of the processes in this language family, thereby helping to raise in world estimation the very status of the Bantu peoples themselves. In the lecture room and more perhaps through personal contact she inspired those who came to her to learn with a keenness for study and research. With all her wealth of knowledge and experience she exhibited no trace of superiority and was always keen to benefit by any information she might elicit from her students, many of whom had seen service in the African field.

Alice Werner was born in June 1859 and educated privately and at Newnham College, Cambridge, where she was Goldsmith's scholar from 1878 to 1880. She turned to journalism at the end of her University training, and for three years was a member of the staff of the *Review of Reviews*. In 1893 Miss Werner went to Nyasaland as teacher of the Church of Scotland Mission. There she began her study of Bantu languages, which was to be her life work, and though only a year in the country at that time, she prepared *Ntanu*, a 68-page Nyanja reading book, which was printed in 1895. After this she spent a considerable time in Natal with the Misses Colenso, daughters of the well known Bishop, and there proceeded with the study of Zulu.

Returning to London in 1896, she started private classes in African languages and in 1901 these were transferred to King's College, London. Quite apart from the knowledge she gained in Bantu languages, Alice Werner was fluent in several modern European languages. She even lectured at one time in London University on Afrikaans.

In 1911 Alice Werner was awarded the Mary Anne Ewart Travelling Scholarship and spent two years in research work among the coastal tribes of British East Africa. Here she perfected her studies in Swahili, and did much research on other languages. In 1913 she was appointed a Fellow of Newnham College, and in 1917 became Lecturer (afterwards Reader) at the School of Oriental Studies, London. In 1921 she was appointed Professor of Swahili and Bantu, and retired in 1930.

Apart from contributing very largely to various scientific journals, especially the *Bulletin of the School of Oriental Studies*, in which she made most valuable textual contributions upon Swahili, Alice Werner published a number of books, several of which are recognised as standard works to-day.

In 1915 she translated into English Meinhof's *Die Moderne Sprachforschung in Afrika*, and published her popular little book *The Language Families of Africa*.

In 1917 she revised and edited Steere's *Swahili Tales*, and in 1919 published her well-known *Introductory Sketch of the Bantu Languages*. In 1927 appeared *A First Swahili Book*, written in collaboration with her sister, Miss Mary Werner; and in 1930 *The Structure and Relationship of African Languages*. In 1932 and 1934 she was responsible for the production of the first two of the "Azanian Classics," *The Story of Miqdad and Mayasa* and *The Advice of Mwana Kupona upon the Wifely Duty*. At the time of her death she was engaged upon the preparation of further Swahili texts for this series.

Alice Werner's publications, however, were not confined to language works. As early as 1906 she had published in "The Native Races of the British Empire" Series the volume entitled *The Natives of British Central Africa;* and she constantly lectured on the customs and religion of East African Native Tribes. In 1925 she contributed *African Mythology* to Volume VII of "The Mythology of all Races," and in 1933 appeared one of her most delightful contributions *Myths and Legends of the Bantu*.

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[1] In her "English Contributions to the Study of African Languages," in *Bibliotheca Africana* Vol. III, No. 2/3.

Dr. Werner's main contribution to Comparative studies lay in her two books, *The Language Families of Africa*, and the *Introductory Sketch of the Bantu Languages*.

The former appeared in 1915 and was reprinted in 1925 without substantial alteration. The introductory chapter summed up with a division of the African language families into :

1. The Sudanian family (isolating)
2. The Bantu family (agglutinating)
3. The Hamitic family (inflexional)
4. The Bushman group (doubtful at present)
5. The Semitic family (inflexional).

A general chapter is then devoted to the five, followed by descriptive chapters—III The Sudanian Family, IV The Bantu Family, V The Hamitic Languages, VI The Key to the Bantu Languages, VII The Bushman Languages and VIII The Semitic Family. In each case illustrative texts with translations follow the exposition. Nama Hottentot is rightly included among the Hamitic languages. The "Key" to the Bantu languages treated in Chapter VI is Fula, though Miss Werner, in later life, tended to retract from this theory, which was first put forward by H. H. Johnston in his *Liberia*. This little book of 150 pages with a map has proved of inestimable value to students. A condensation, dealing with the three main families, Sudanic, Bantu and Hamitic, appeared in 1930 under the title of *The Structure and Relationship of African Languages*.

The *Introductory Sketch of the Bantu Languages* is another book which has been widely used by English students of Bantu. In handy, simple form the structure of Bantu languages with much comparative detail is exposed. To a great extent the approach in grammatical classification is prejudiced by European grammatical methods but real scholarship is revealed in the discussion. Much in method is derived from the work of Meinhof, to whom the book is dedicated. The book closes with illustrative and annotated texts in Zulu, Herero, Ila, Nyanja, Swahili and Ganda, and valuable bibliographies of Bantu works.

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In the realm of general phonetics applied to Bantu languages, mention should be made of three works apart from those of Meinhof and his school.

The first is Père Ch. Sacleux's *Essai de Phonétique avec son application à l'étude des Idiomes africains*, which was published in 1905. Sacleux who produced a valuable dialectal study of Swahili and earlier a notable Swahili Dictionary, was a phonetician of the Rousselot School, and the study before us reflects Rousselot's methods. General principles are set out and then various laws and phenomena applicable to Africa are given and exemplified from a great number of Bantu languages, though Swahili is the main source. Sacleux's book however is more academic in its usefulness than practical.

The second is Mlle. L. Homburger's *Etude sur la Phonétique Historique du Bantou*, published in 1914. This book of nearly 400 pages consists almost entirely of tables comparing words in some 70 different Bantu languages, and its object is to show the phonetic correspondences between the different languages.

The third is the *Practical Phonetics for Students of African Languages* of Professor D. Westermann and Dr. Ida C. Ward, published by the International Institute of African Languages and Cultures in 1933. This work is based on the phonetic principles of the International Phonetic Association, and the detail given is descriptive (not historical) in method. Although the material covers all types of African languages, there is a great deal concerning Bantu, and detailed summaries concerning Ganda, Zulu and Kikuyu are included.

* * *

Summary of the Present Position :

The present position of our knowledge of Comparative Bantu Philology, may be summarised tentatively as follows :

1. *Classification of the Languages of Africa :*
    - (i) *Semitic family* (Northern and Eastern Africa).
    - (ii) *Hamitic family* (Northern and North-eastern Africa, including Hottentot of South Africa).

- (iii) *Sudanic family* (including Western, Eastern and Nilotic sections; stretching from Cape Verde in the West across the Sudan to Abyssinia).
- (iv) *Bantu family* (Central and Southern Africa, south of the "Bantu line," a line from Cameroons, above the Congo River and Lake Victoria to the vicinity of Mombasa).

Bushman[1] languages stand alone, though structurally akin to Sudanic. *Semi-Bantu*[2] share features of Bantu and Sudanic. *Nilo-Hamitic*[3] languages bear features of both Nilotic (Sudanic) and Hamitic.

2. *Classification of the Bantu Languages :*

- (i) *North-western Zone :*
  - (a) Bube.
  - (b) Duala, etc.
  - (c) Benga.
  - (d) Mpongwe.
  - (e) Fang, etc.
  - (f) Kele, etc.
- (ii) *Northern Zone :*
  - (a) Gishu.
  - (b) Konjo.
  - (c) Nyoro, etc.
  - (d) Ganda, etc.
  - (e) Rundi, etc.
  - (f) Gikuyu.
  - (g) Kamba.
- (iii) *Congo Zone :*
  - (a) Kongo, etc.
  - (b) (ki)Mbundu.
  - (c) North-eastern Congo (Kele, Soko).
  - (d) Middle Congo (Poto, Ngombe, Lolo etc., Ngala etc., Bangi).
  - (e) Teke, etc.
  - (f) Bira.
  - (g) Bua.
- (iv) *Central Zone :*
  - (a) Luba-Luunda (Luba etc., Luunda, Kanyoka).
  - (b) Bemba (Bemba etc., Aushi, Lamba etc., Bisa, Lala, Namwanga, Fipa).
  - (c) Tonga (Tonga etc., Ila etc., Mukuni etc.).
  - (d) Zambesi (Subiya, Luyi, Leya).
- (v) *Eastern Zone :*
  - (a) Nyamwezi, etc.
  - (b) Lacustrine (Kuria, Kwaya).
  - (c) Iramba.
  - (d) North-eastern (Pokomo, Taita etc., Taveta, "Nika" etc.).
  - (e) Kilimanjaro (Chaga etc., Pare etc.).
  - (f) Shambala (Shambala etc., Zigula).
  - (g) East-central (Zaramo etc., Sagara etc., Gogo, Irangi).
  - (h) Rufiji (Hehe, Pogoro, Sango, Bena, Matumbi).
  - (i) Makonde, etc.
  - (j) Sutu, etc.
  - (k) Kinga.
- (v,a) *North-eastern Zone :*
  - (a) Swahili, etc.
  - (b) Tikulu.
  - (c) Komoro, etc.
- (v,b) *East-central Zone :*
  - (a) Nkonde.
  - (b) Nyasa (Tumbuka etc., Tonga).
  - (c) Western (Nyanja etc., Nsenga, Sena etc.).
  - (d) Yao, etc.
  - (e) Makua, etc.
- (vi) *South-eastern Zone :*
  - (a) Nguni (Zulu etc., Xhosa etc., Swazi etc.).
  - (b) Sotho (Northern Sotho etc., Southern Sotho, Tswana etc., Kololo).
  - (c) Venda.
  - (d) Tsonga (Ronga, Tonga etc., Tswa etc.).
  - (e) Inhambane (Chopi, Tonga).
- (vi,a) *South-central Zone :*
  - Shona languages, including Kalanga, Korekore, Zezuru, Karanga, Manyika, Ndau, and many other dialects.

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[1] Cf. C. M. Doke, "An Outline of the Phonetics of the Language of the Chû: Bushmen of North-west Kalahari," *Bantu Studies*, Vol. II, p. 130.

[2] Cf. H. H. Johnston, *Comparative Study of the Bantu and Semi-Bantu Languages*, Vol. II, pp. 166 et seq.

[3] Cf. A. N. Tucker, *The Eastern Sudanic Languages*, Vol. I, pp. vii-ix.

(vii) *Western Zone :*
  - (a) (u)Mbundu.
  - (b) Eastern (Mbunda, Luchazi, Nkoya, Mbwela).
  - (c) Ambo (Ndonga, Kwanyama, Humbe, Nyaneka).
  - (d) Herero.
  - (e) Yeye.

(vii,a) *West-central Zone :*
  - (a) Lwena etc.
  - (b) Soli.

3. *Main Characteristics of the Bantu Family of Languages :*

(a) *Morphological :*

(i) Inflexional, with instances of agglutination.

(ii) Grammatical class gender in place of sex gender.

(iii) Concordial agreement, basically alliterative, in sentence structure.

(iv) Basic quinary system of numeration.

(v) High development in the conjugation of the verb, with a wealth of verbal derivative forms.

(vi) The ideophone as a distinct part of speech.

(vii) Non-existence of (a) the article, (b) case, and (c) prepositions.

That the Bantu languages constitute a language family is revealed by the underlying unity of word-roots and formative elements.

(b) *Phonetical :*

(i) The word-building work of stress (which is commonly on the penultimate syllable of each word, and which demands a conjunctive method of word-division as the correct one for Bantu).[1]

(ii) The employment of open syllables only.

(iii) A balanced pure vowel-system with three basic vowels.

(iv) The use of intonation both characteristic and significant.

4. *Grammatical Classification :*

The following are the Parts of Speech applicable generally to Bantu :[2]

I. Substantive	
(a) Noun (divided into classes)	(1)
(b) Pronoun[3] (i) Absolute.	(2)
(ii) Demonstrative	
(iii) Quantitative	
(iv) Qualificative.	
II. Qualificative[4]	
(a) Adjective.	(3)
(b) Relative.	(4)
(c) Enumerative.	(5)
(d) Possessive.	(6)
III. Predicative	
(a) Verb (i) Regular disyllabic.	(7)
(ii) Monosyllabic.	
(iii) Vowel.	
(iv) Derivative.	
(b) Copulative.	(8)
IV. Descriptive	
(a) Adverb.	(9)
(b) Ideophone.	(10)
V. Conjunctive.	(11)
VI. Interjective.	(12)

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[1] Cf. C. M. Doke, *Bantu Linguistic Terminology*, pp. 5-24.

[2] Cf. C. M. Doke, *Bantu Linguistic Terminology*, pp. 24-29.

[3] Venda has also Relative Pronouns.

[4] Swahili has also Invariable Qualificatives.

NOTES OF THE QUARTER

The Abbê Breuil in South Africa

It is a pleasure to welcome to South Africa the Abbé Breuil, the greatest living prehistorian. He arrived from Europe in October last and immediately assumed duty in a dual capacity—as a member of the staff of the Bureau of Archaeology of the Department of the Interior and as Honorary Professor of Archaeology at the University of the Witwatersrand.

The story of the Abbé's decision to select South Africa as a field for his specialist studies is itself worthy of record. When Professor C. van Riet Lowe realised that the collapse of France was inevitable, he immediately cabled an invitation to the Abbé to come to South Africa and remain here as his guest for as long as the war lasted. Neither the cable nor the letters that followed reached their destination, and it was only in December 1941 that news of the Abbé's whereabouts reached the Union. The Prime Minister, General Smuts, whose interest in prehistoric archaeology is well known, immediately sent an invitation to the Abbé to come to the Union as the guest of our Government to carry on and promote research in a field which has played no small part in making South Africa's name familiar in the scientific world. Similar invitations had reached the Abbé from other countries, most notably from America and Great Britain; but appreciating the great scope and importance of South Africa in the long and involved story of human evolution, he elected to return to a country whose archaeological wealth was first revealed to him when he came here to attend the joint meetings of the British and the South African Associations for the Advancement of Science in 1929. During his stay he visited all the important prehistoric sites from the Victoria Falls to the Cape of Good Hope.

So impressed was he by the archaeological wealth of the country that he addressed a personal appeal to General Hertzog (who was Prime Minister at the time) urging him to have an archae logical survey of the Union established. Up to the time of this visit, all archaeological research had been conducted by amateurs and although the results had been considerable, the Abbé felt that "in order to develop normally, research should now emerge from the phase of prospection and observation of what is visible without excavations and systematic surveys. It has now become imperative on the one hand," he added, "to excavate carefully the caves and rock-shelters in order to ascertain the exact sequence of the various periods of the Stone Age; on the other hand to make topographical surveys of the river terraces and raised beaches and of the shores of ancient lakes around which successive generations of prehistoric men lived. Without the information which only such studies can give, the work accomplished will remain superficial and without sufficient relation to the same science in other parts of the world. The paintings in the prehistoric rock shelters are absolutely unique archives, whose universal interest cannot be exaggerated, for they represent pictorially the dress, arms, social life, hunt and war, and also the customs and religious myths of the ancient peoples during thousands of years. Their destruction would be equivalent to that of antique works of art of high artistic value, and of unique manuscripts whose loss would be irreparable to the history of humanity. It is only right that South Africa should, in this regard, realize her responsibility in the eyes of the cultural world, and should assure the preservation of these immensely valuable stone archives, by taking prompt and efficient legislative measures."

This appeal bore fruit and the Bureau of Archaeology was established some five years later. At the same time legislation was passed to increase the scope and powers of the Commission for the Preservation of Natural and Historical Monuments, Relics and Antiques. This included the better protection of all prehistoric rock paintings and engravings in the Union as well as legislation for more controlled archaeological excavations and other researches.

The Abbé has therefore returned to carry on the work of his own creation and to continue serving science along with his former pupil, Professor van Riet Lowe, who is the Director of the survey and the executive officer of the Commission first envisaged by the Abbé. He is therefore no stranger in our midst. But more than this: he is no stranger to Africa. He knows our continent more intimately than most of us can claim for he has studied the story of our prehistoric forerunners up and down and back and forth in an area that contains not only the richest but also the longest known record of human industry in stone. His work in North and East Africa is better known than is that which he did in the south for in these areas he broke fresh ground—as he did when he first went to China.

The Abbé's major tasks here fall roughly under three headings: (1) a close study of Surface or Quaternary Geology as revealed in river terraces and other alluvial deposits and raised beaches in which the remains of human handiwork occur; (2) the unravelling of the very complicated mid-palaeolithic or Middle Stone Age industries and cultures; and (3) prehistoric art—open-air and cave.

The Quaternary Geology of the Union was studied by the Vaal River Survey of 1937[1] but, according to Prof. van Riet Lowe, this survey merely laid the foundations for future work. A very great deal remains to be done and no one is more competent to fill in the many gaps than is the Abbé. The unravelling of the Middle Stone Age is a particularly complicated task in that the entire Union is affected by an embarrassing number and variety of material cultures which share not only the same geological horizon but also the same basic technical process. In it the Levallois technique which is as common in North Africa, Europe and the Near East as it is here, and the various types of extinct humans who had mastered it, play a pre-eminent part. That this important flake technique was employed by Palaeanthropic man during relatable times throughout the Ethiopian and much of the Palaearctic Region is a well-established fact—but the major problems are first to establish the succession of the material cultures in which the Levallois is basic and, secondly, to correlate the southern occurrences with the northern. The problem of correlation is fundamentally geological.

A closer study of our prehistoric art is long overdue. In this the survey published by Professor van Riet Lowe in 1942[1] will be of great service. It is in this field that the Abbé is perhaps best known. He started his research in prehistoric art nearly half a century ago and during the intervening years has published several large books and many scores of monographs on the *art rupestre* and *art mobilier* of France, Spain, North, East and South Africa and elsewhere. Because of his great works on Palaeolithic and Neolithic Art and because South Africa offers such a vast field for the study of prehistoric art, the scientific world may expect his greatest contributions to centre on these problems here, but there can be no doubt that both the Old and Mid-Palaeolithic problems will be tackled with equal zest and success. The field is too vast and the length of the Abbé's stay is too uncertain to fulfil our desire to see all the problems tackled. We must therefore rest content to see the major problems attacked. There can be little doubt that the Abbé's visit will be of enduring value not only to South Africa but to the scientific world generally.

* * *

Mr. Howard Rogers

The death of Mr. Howard Rogers in December last robbed the Department of Native Affairs of an outstandingly able and conscientious officer. The son of a Methodist minister, he maintained his inherited ideals and spared himself not at all in pursuing them in his private as well as in his official life. He served for many years in the Transkeian Administration before he was transferred to the Head Office in Pretoria, where, in due course, he became Director of Native Settlements to carry out the land policy of the newly established South African Native Trust. His knowledge of the Native land question was unrivalled, and he worked hard to ensure that the African people should secure the maximum benefit under the new legislation. Many difficult situation were adjusted through his personal efforts in the field. When he became Under-Secretary for Native Affairs, his encyclopaedic knowledge was found to be of the greatest value. His book, *Native Administration in the Union of South Africa*, published in 1933 by the Witwatersrand University Press, is a standard work. Unfortunately it is out of print and the author had undertaken to revise it for a second edition. Howard Rogers was simple and unaffected in his dealings with men ; his sincerity impressed all who knew him ; and his death is a loss not only to his Department and his colleagues, but also to the African people and all who labour for their advancement.

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[1] Visser, Söhnge and van Riet Lowe: *The Geology and Archaeology of the Vaal River Basin*, Geol. Memoir No. 35, Government Printer, Pretoria, 1937.

[1] *Prehistoric Art in South Africa*, Arch. Series No. V, Government Printer, Pretoria, 1942.

* * * *

A Rare Pamphlet on Native Law

Mr. Julius Lewin writes :—

I should like to add an interesting item to the bibliography on Native law and custom that was appended to my " Short Survey of Native Law in South Africa " published in *Bantu Studies* in June 1941.

The item is a pamphlet of 30 pages entitled *Commentaries on Native Laws, Customs, and Usages* by J. C. C. Chadwick, and it was published in Maritzburg in 1879 by Vause, Slatter and Co. I had not heard of this pamphlet until Mr. A. A. Roberts of the Department of Justice kindly drew my attention to it last year. It was not to be found in any library in the Union, but Mr. Roberts mentioned that there was a copy among the books of the late Mr. Justice T. B. Horwood of the Natal Native High Court, which are now in the possession of Advocate G. N. Holmes of Durban, but which were not accessible owing to Mr. Holmes's absence on active service. Mr. Roberts had come across it in the course of compiling his massive *South African Legal Bibliography*, which was itself completed and published last year, the fruit of more than twelve years' work.

Since then, however, I have been fortunate enough to find a copy among the books in Dr. N. J. van Warmelo's care in the ethnological section of the Native Affairs Department in Pretoria, and it is worth recording a few more details about this rare pamphlet and its author.

Chadwick is described on it as a J.P. and an attorney and as formerly Registrar of the Native High Court and secretary to the Board created under the Native Administration Law No. 26 of 1875 to draft the first Natal Code of Native Law.

The pamphlet is mainly on *lobolo* and inheritance which Chadwick rightly calls the most important branches of Native law. He says that the pamphlet was written before the Native law was reduced to writing by the Board, and published in the form of a code in 1878, but he adds that " there is no material difference between the principles laid down in the Code and those propounded in this paper."

On the subject of *lobolo*, one of Chadwick's remarks is noteworthy. " This practice," he says, " which from our point of view is so repugnant to humanity, as being tantamount to purchase and sale of women, bears a different construction in the minds of the Natives. To them it does not appear so much a sale as a contribution made by the husband to the support of the parents of his wife, to repay them for the care and nourishment bestowed on their daughter during her childhood, and to compensate them for the loss of her services and assistance generally when she has grown to an age at which she could (if unmarried) repay them by her usefulness and affection."

Defamation is also briefly dealt with and there is a note on the difficulties of interpreting from the vernacular into English in courts of law.

It is clear that Chadwick can be regarded as the pioneer of those who seek to reduce Native law to print. The only earlier effort towards this end was the compendium published in 1858 under the name of Colonel Maclean.

* * * *

" Africa " to Re-appear

We are happy to hear from London that the journal *Africa* is to resume publication. It had been suspended owing to war-time difficulties, but the presence in London of so many representatives of foreign Governments—several of them with Colonial interests—afforded an opportunity of maintaining international contacts. The Institute of African Languages and Cultures has succeeded in forming an interim committee which will again sponsor the journal. The first issue under the new editorial staff was due to appear in January last. It includes an address delivered at a joint session of the Institute and the London School of Oriental and African Studies by General Sicé, Chief of the Army Medical Service of the Fighting French Forces, on the subject of medical work in French Africa.

* * * *

Acknowledgments

The Witwatersrand Council of Education continues to make us its generous annual grant towards the publication of this journal. The Editors wish to record their deep appreciation of the Council's support.

The trustees of the Rhodes-Livingstone Institute in Northern Rhodesia have also renewed their welcome donation for the current year. Our regional correspondent in the colony, Dr. Max Gluckmann, has recently been appointed Director of the Institute.

RECENT PUBLICATIONS

Crowe, S. E. The Berlin West African Conference, 1884-85. 1942. London: Longmans. 249 pp. 15s.

Downing Street and the Colonies. A Report presented to the Fabian Colonial Bureau. 1942. London: Allen and Unwin. 100 pp. 2s.

Huxley, Julian. Colonies in a Changing World. *Political Quarterly*, 1942. Vol. XIII, No. 4, pp. 384-99.

Lemmer, C. J. C. Inleiding tot die Geskiedenis van Suidwes-Africa. 1941. Kaapstad: Unie-Volkspers. 124 bl. 4s. 6d.

Report of the Committee on the Position of Crime on the Witwatersrand and in Pretoria. 1943. Johannesburg: 29 pp. 2s. 6d.

Tinley, J. M. The Native Labour Problem in South Africa. 1942. Chapel Hill: University of North Carolina Press. 281 pp. $3.

Verbatim Report of the Proceedings of the Native Representative Council. Sixth Session, December 1942. Pretoria: Government Printer. 1943. 2 vols. 297 pp. 5s.

EDUCATIONAL :

Batten, T. R. Africa, Past and Present. 1942. London: Oxford University Press. 2s.

Roux, Edward. Harvest and Health in Africa. 1942. London: Nelson. 88 pp. 1s. 6d.

Thornton, R. W. and Leckie, W. G. The African and His Livestock. 1942. London: Oxford University Press. 1s. 6d.

BOOKS IN REVIEW

Africa Emergent, by W. M. Macmillan. 1938. London : Faber. pp. 414, with maps. 15s.

This grand book makes our Union politicians, journalists and even liberals seem very small beer. Professor Macmillan has all the virtues (except perhaps vigour and lucidity of style) required to write the kind of book about Africa that we most urgently need, whether we live in Africa or decide its destinies from without. The width of his knowledge is stupendous. He takes all British Africa south of the Sahara and Ethiopia as his province, appearing equally at home in Nigeria, Tanganyika, the Rhodesias and the Union. He never lets go his firm grasp on the most essential problems. Nor does he compromise his moral and political integrity in the rabbit-like manner characteristic of most Englishmen in authority. As the product of a trained historical mind, this book is at once dispassionate and critical, possessing both a strong sense of determined processes and of those contingent happenings through which alone the human will may hope to improve the world. Above all, Professor Macmillan stands outside the schools and superior to the ideologies. He has attempted no routine postmortem on the conquest and partition of Africa, nor does he use the language of " rights " of self-determination for colonial subject peoples where European settlers have made their homes. There is here no rancorous description of economic imperialism which might divert us from the vital constructive task of making Africa a continent fit for *all* its inhabitants to live in.

The theme is Africa as a series of poor communities in process of change, with black and white inevitably living side by side. Professor Macmillan is concerned with the needs which all members of these communities share in common, the simple and elementary conditions for the survival and enhancement of civilisation, not with the things that divide communities and cause inequalities in economic and political status. As a source of mere subsistence to its inhabitants Africa is still, as it always was, gravely deficient. In his view European conquest and settlement have probably increased its net productivity, although the struggle may well become harder with the exhaustion of the soil, man-made deterioration of climate and the failure to improve the quality of our human personnel. Africa's peoples lack food (and the vast majority *land* for food) ; they lack also health, skill and education and even rudimentary free institutions. The unequalled poverty and backwardness of Africa are due to lack of capital, industrious habits, hopeful prospects and the right kind of governmental policies.

To one reader at least the high points of his discussion of this tremendous theme are the full, critical and constructive treatment of the land question, his account of the problem of health, his exposure of the vaunted Transkeian system and of segregationism in general, his keen appraisement of the weakness as well as the strength of N.A. (Indirect Rule), and his attack on the cheap labour fallacy of the employing classes, urban, mining and rural. That he would bring a comprehensive indictment against the entire Native policy of the States of Southern Africa we knew and expected. He adds to it a powerful criticism of prevailing tendencies in the writings of social anthropologists, which have provided segregationism with an alibi.

No doubt the book is weaker for the absence of any discussion of the financial relations between Africa and outside interests, which pervert its economic development and continuously expose it to the risks of further imperialist interference. Impressed by the great need for capital in a backward continent—to be used, as he thinks it can be used, for raising the standards of life for Africans as well as Whites—he overlooks the obstacles which predatory capitalism places in the way of developing basic agricultural and manufactured products for consumption by the masses *within* the continent, not for export, as well as the evil consequences of a cheap labour policy in the quick exploitation of the continent's mineral wealth on behalf of mainly foreign investors. Only by making labour dear can mechanisation and skill be stimulated and productivity ultimately increased. But no foreign capitalist can wish African labour to be dear. Again, it is perhaps a pity that the dominance of the economic note has prevented Professor Macmillan from discussing opinions and policies which may be shown to be economically, i.e. rationally disadvantageous to all Africa's inhabitants, White as well as Black, but which are nevertheless of vital importance to the future status of Africans. The dominant Europeans in Africa do not live by bread alone. Unfortunately they also possess emotions. The *sacro egoismo* of white emotion may end by taking the bread from the mouths of Europeans and Africans alike.

In a work of different calibre these blemishes might well appear serious. In fact, they are of minor importance in an argument sustained by such profound and brave ideals. Obstinately asserting a belief which historians, sociologists and moralists all share, namely, that civilisation is on balance a desirable thing for all men ; firmly convinced, like Marxists and others, that it rests upon minimum standards of material prosperity, Professor Macmillan refuses to admire the institutions and ways of living of the African primitives. He wants them to share to the fullest possible extent the opportunities that civilisation at its best affords of reaching to higher levels of personality. The ghost of Dr. John Philip speaks in these pages with the tongue of Marx as well as the angels. It is not without significance that official South Africa paid equally little heed to the prophet of a century ago as to this one, no less important in his modern, scholarly fashion, who preaches a similar duty to-day.

J. L. GRAY.

Economy of the Central Barotse Plain, by Max Gluckman. 1941. Livingstone : Rhodes-Livingstone Institute. 130 pp. 4s.

Sociologists will welcome this book on the Barotse, an important and in many ways unique tribe, which has been neglected too long. To date there is very little authoritative information about it. The average person only knows that Barotseland is somehow a separate entity from the rest of Northern Rhodesia. Travellers in the colony are sure to meet clever Barotse curio-makers lining the railway platforms with polished wooden animals for sale ; while residents are accustomed to seeing Barotse " boys " in all butcheries, and now a large number of them are being recruited for work on the Rand. So the casual observer as well as the scientist will find it both interesting and instructive to read this book.

For a " paper " this study contains much information, running into over 60,000 words and has 24 tiny photographs and a number of illustrative charts and tables. For me, the opening pages contained one or two minor annoyances which were not repeated in the bulk of the work. I mentioned this in case other readers have the same initial experience, in which case I want to say, " Read on."

The area under consideration (visited by the author for six months) is the flood plain of the Zambezi in the centre of Barotseland. Dr. Gluckman describes the Lozi economy at two periods, firstly, that ruling at about 1880, aided by reference to Livingstone and Coillard ; secondly, he passes to a description and thoughtful analysis of the position as it is to-day.

The influence of the peculiar environment on Lozi economy and even on the social structure of the tribe is most striking. Life in Lozi-land was largely controlled by the rise and fall of the flood. The Lozi were grassland cultivators influenced by the patrilineal Kololo from whose cattle complex culture they presumably derive their present aptness with cattle. The Lozi were also keen fishermen, an activity which was most intensely pursued at the fall of the flood in June-July. Villagers were forced to move their homes with the seasons from sites in the plain to its edges. Occupations such as housebuilding, and particularly agriculture, were equally conditioned by the annual flood. These conditions may even have strengthened the patrilineal organisation of the tribe through the desirability of ownership of the permanently usable mounds remaining within the resident group.

There was a definite land shortage in the plain and it was every man's ambition to obtain a mound on which to build for himself and his dependents. The possessor of different types of land-mounds, plain edge, etc. was thereby able to obtain varying types of crop. Prestige and wealth thus depended to a large extent on land ownership. Throughout this description comparisons are made with the Zulu (of whom the author has had personal experience) and the Nuer. The student of Northern Rhodesian tribes, however, will naturally see a contrast with the Bemba and allied tribes who depend on shifting bush cultivation, are matrilineal, and among whom the individual acquires prestige not through possession of land or anything else, but through leadership and character. The Lozi are unique in their grassland garden culture even among the N.W. Rhodesian tribes.

In recent years, here as elsewhere, the introduction of money currency has wrought many changes in the traditional Lozi economy. The chief, having relinguished his rights to tribute, no longer distributes gifts to a large extent; but this function has been adequately replaced by the formation of the Barotse Treasury. Among the people at large money has had the effect of substituting a buying and selling relationship for the old personal services between kinsmen, thus enabling previously unrelated people to co-operate more easily. The extension of economic activity outside Barotseland through employment has increased the importance of all types of relationship connected with the family, e.g. relatives may not be at hand when a man needs help in a foreign employment area. The labour flow has also taken the monopoly of Lozi power from the mound owners. Under the new regime in the political sphere the Lozi government is tending to become a bureaucracy separated from and not representing the people. At present, however, this does not present serious difficulties as modern government brings many advantages.

Dr. Gluckman tells us that a larger work on the Lozi is in course of preparation.

R. J. B. Moore.

The Bantu in the City. A study of cultural adjustment on the Witwatersrand, by Ray E. Phillips. Lovedale Press. pp. 452. 10s.

It is close on four years since this book by Dr. Ray Phillips was first published. It was accorded an enthusiastic welcome, for it fulfilled a vital function; it collected in one cover such information as was available regarding Africans on the Rand. Fortified by much careful research by Dr. Phillips himself and by the rich store of knowledge he has acquired during twenty years of work and service among the Witwatersrand African communities, his book is more than a compilation. It gives a comprehensive, and in many respects an original, survey of the main aspects of urban Native conditions—the economic basis, housing and home life, health, education, crime and delinquency, religion, education and inter-racial relations. It revealed the gaps in our knowledge, and it made suggestions for improvements.

Miss M. Janisch, in the concluding remarks to her *Study of Income and Expenditure*, wrote: "At one time the major difficulty facing those who wished to support the case of the urban African suffering under disabilities was the lack of factual evidence. The last ten years have increasingly produced the necessary material from which reasonable conclusions may be drawn." That she could make this statement is in large part due to Dr. Phillips' book, for to a great extent the work Dr. Phillips did justified the challenge that our information is sufficient at least to demand change. Since the publication of his book, various more specialised studies dealing with selected aspects of urban African life have appeared. Such are the investigation by Miss Janisch, my own *Problems of Urban Bantu Youth*, the urban administration number of *Race Relations*, and the Smit Report. These studies expand certain sections of Dr. Phillips's book and present detailed information only made available by research in special channels. In fact they document more fully subjects treated by Dr. Phillips and, in general, point the conclusions he has drawn.

But although Miss Janisch is amply justified in saying that enough information has been gathered to enable us "to get on with the job" of improving urban African conditions, economic and social, which Government commissions and individual research alike have shown to be so urgently necessary, the position is very different in regard to statistical data. In South Africa we still lack those elementary figures which in other countries are regarded as the foundation for all planning. In all, three censuses of the Bantu population have been taken: in 1911, 1921 and 1936. The inadequacy of even these figures has constantly been deplored by experts. Yet in 1941, to save a paltry sum, Africans were not included in the census. As the registration of births and deaths is not compulsory, vital statistics relating to the African population barely exist. Sample surveys have indicated that disease and infantile mortality have reached alarming proportions. But that intimate knowledge of the numbers of the population, how it is composed, its housing and health conditions, which only the careful compilation of complete statistics can reveal, is almost completely lacking. In this respect, then, there has been no improvement since *The Bantu in the City* was written.

In other respects, too, a comparison of the situation that existed some five years ago with the present does not offer particular encouragement. Very little substantial progress has taken place in any of those fields to which Dr. Phillips so forcibly directed attention. Despite the wage increases that have been brought about through the action of the Wage Board, the latest sample survey of Miss Janisch reveals an average wage of £4 2s. 0d. per month. Dr. Phillips's sample taken four years earlier showed a median of £1 per week. Five-sixths of the Native general tax is now allocated to Native education as against three-fifths in 1937-1938. The number of African children in schools in Johannesburg (and Alexandra Township) is now estimated to be in the neighbourhood of 16,000. Dr. Phillips gives the 1937 figure as close on 10,000. Yet to-day the proportion of children of school-going age actually in school is still calculated to be no higher than about forty per cent. Comparisons of this nature could be continued at disheartening length. Three committees of enquiry (kafir-beer, the Smit Commission and the recent crime inquiry concerning unemployed and vagrant Natives) have sat within the last eighteen months to inquire into matters specifically appertaining to urban Natives. To a great extent the evidence presented to these commissions is precisely the same evidence that would have been led by quoting only from Dr. Phillips' book. The most recent Committee of Inquiry, which was concerned with determining the causes of and recommending means to combat the alleged increase in crime on the Witwatersrand, is dealing with a situation which authorities have for years predicted must inevitably arise by reason of the existing social and economic conditions of urban Native life. The juvenile delinquency conference held at the end of 1938, delineated the picture in lines as sharp as they were sombre. The Committee of Inquiry is to-day looking—and it must look in vain—for the *deus ex machina*, the remedy that will order conditions without incurring any substantial expenditure, without building schools, establishing safety homes and reformatories, without creating Native juvenile affairs boards!

But although a factual comparison of to-day with the yesterday of five years ago does not induce optimism, it must be recognised that changes have taken place which are distinctly hopeful. Despite the stringent provisions of the Native Urban Areas Act, as amended in 1937, with their emphasis on control of Natives in towns and on limitation of their numbers, recognition of the fact that a permanent Native urban population does exist, and must continue to exist in the interests of industry and European economic life, is growing. Clear expression of the necessity to encourage the movement of the Native population from agriculture to mining and to urban industries is given in the Third Interim Report of the Agricultural and Industrial Requirements Commission. It states: "A further townward movement into other occupations is considered to be an economic necessity. This movement will be mainly a transfer of Natives, of whom 82 per cent were still on the land in 1936 as against 33 per cent in the case of Europeans, Coloureds and Asiatics." Any policy consciously and realistically designed to put such recommendations into effect in a planned reconstruction of the economy of South Africa must result in the stabilisation of the Native population in two major groups: a peasantry rooted in the soil and living completely off it, and a permanently resident industrial population entirely dependent on its wages. This will provide the solid foundation on which real progress can be built. Only then will the problems so ably dealt with by Dr. Phillips be adequately solved. ELLEN HELLMANN.

The Law Relating to Natives in Urban Areas, by A. S. Welsh, K.C. 1942. Johannesburg: City Non-European and Native Affairs Department. 196 pp. 15s.

The Native Affairs Department of the Johannesburg Municipality showed commendable enterprise when it encouraged Mr. Welsh to compile this handbook. Mr. Welsh is a former Attorney-General of the Transvaal, who is now on the staff of the Department. He has collected all the decisions of the Supreme Court interpreting the Native Urban Areas Act and each section of the Act is here followed by a short summary of the decisions affecting it. The book is therefore intended primarily for the use of lawyers, though no doubt every town clerk and location superintendent in the Union will be grateful to have it for reference.

But what of the mere layman? What sort of perplexity will he encounter in a humble effort to understand the law relating to urban Natives? It will certainly be considerable. The Act of 1923, as amended in 1930 and 1937, now runs to 38 pages of small print. Some of its sections are divided into a dozen if not a score of sub-sections—section 5, for instance, has 21 sub-sections! No wonder Mr. Welsh is able to cite 20 judicial decisions which may, at least by courtesy, be said to throw light on the precise meaning of this particular section.

Most people, even most students of Native administration, will simply pay this method of law-making the tribute of a smile, and pass on to something more readily intelligible. For I doubt if there is even a single practising lawyer who could answer without prolonged research and careful thought some of the questions Mr. Welsh poses. Can a Native own land in an urban area? Does the Act give a municipality power to expel a resident from a location? Can a by-law confer discretionary power on an official? What is the nature of the rights of the holder of a location site permit in and to improvements erected by him?

This last is a particularly thorny problem in solving which the Native Appeal Court and the Transvaal Supreme Court have come into conflict. Mr. Welsh wisely prints both judgments, one of which quotes Voet and refers to a Placaat of 1658!

The state of affairs almost unconsciously revealed by this book raises an issue of public importance. Everyone is presumed to know the law and Natives who infringe it sooner or later find themselves in court. (Incidentally, the book does not include the general regulations under the Act framed in 1924, which are a fruitful source of friction). How long can we allow a vital branch of Native administration to remain in this state of legal chaos? Is it really beyond human ingenuity to simplify the law? Mr. Welsh has done his part to make it more accessible to lawyers. The next task is to make it intelligible to laymen, if not to those whose daily life it governs. J.L.

The Exploitation of East Africa, 1856-1890: The Slave Trade and the Scramble, by R. Coupland. 1939. London: Faber. 508 pp. 25s.

In these days of change, with landmarks and boundary fences thrown down and the future of colonial territories an open question, it is useful to look at colonial Africa in historical perspective. Professor Coupland's second volume on East Africa tells the story that culminated in the German and British annexations. The case for British disinterestedness is put with convincing force.

The centre of the stage is occupied by the Sultans of Zanzibar, especially Barghash (1870-88), and the British consul accredited to them, Sir John Kirk. For many years the policy of Britain, which the United States supported and in which the French acquiesced, was to maintain the integrity and independence of the Sultan's dominions. He was assured of British protection against his relations in Oman, against internal factions and, it was supposed, European aggression. Britain consequently exercised a *de facto* protectorate over Zanzibar, which included the whole coastline of modern Tanganyika, Kenya, and Somaliland as far as Warsheikh. Though the Sultan's authority in the African interior was shadowy, no European power could have established itself there without access to the coast, which could not be obtained without violating the Sultan's sovereignty. The Germans were eventually able to do this because a British government preferred Bismarck's friendship to its obligations to the Sultan. Trust in British protection was shown to be unfounded, and the fruits of Kirk's years of skilful diplomacy thrown away. Britain secured a part of the spoils, largely because the course of events in Europe had weakened Bismark's diplomatic position. Yet throughout the whole story there is no suggestion that a British government was prepared to defend its East African interests or prospects against a determined European power. Coercion of the weak and appeasement of the strong—that was the policy.

The first Great War reversed the earlier decision. "With violence and bloodshed that British occupation of all mid-East Africa had come about which could have happened forty years earlier without a quarrel or a shot." Altogether a typical chapter in the history of the British Empire.

Professor Coupland says very little of the British background of this story. There were obviously no powerful East African interests to influence Whitehall. But there was a very powerful public opinion on the question of slavery and the slave trade. There was, therefore, no appeasement in that direction. Pressure was brought to bear on all concerned—European powers, Asiatic powers and Zanzibar—till the slave trade was destroyed. This was a story entirely to the credit of the British public.

Critics of perfidious Albion and her imperial expansion will have to consider this history seriously. Critics of modern appeasement will find some parts of it painfully familiar.

A.M.K.J.

A Vernacular Bibliography for the Languages of Nigeria, by R. M. East 1941. Zaria. Literature Bureau. 85 pp. 1s. 3d.

This interesting list of books and other material published in the Nigerian vernaculars will provide a useful basis for the compilation of more complete bibliographies for each of these languages. The compiler states that it includes none of the works by Native authors written prior to the British occupation and only a small part of the matter which has appeared in scientific journals. It is to be hoped that persons in possession of further material and knowledge of these languages will add to the bibliographical lists and keep them up-to-date. There must be, for instance, a further number of books in the Arabic script in Hausa which are not recorded. Duala seems to be the only Bantu language dealt with, and this information might be added: Saker printed his "Grammatical Elements of the Dualla Language, with a Vocabulary" in 1855 (not 1860). Saker published Matthew's Gospel in 1848 and completed the whole New Testament in 1861.

C.M.D.

Nada (The Southern Rhodesian Native Affairs Department Annual) for 1943. Edited by N. H. D. Spicer. 1942. Salisbury: A. A. Capell, P.O. Box 393. pp. 57.

Nada has been published annually for the past twenty years and each issue is of value as an anthropological and ethnological record. The aim has been to collect authoritative articles on African customs, traditions and superstitions, and this is a valuable task. As time passes it will be increasingly difficult to secure reliable information. Apparently difficulty is already being experienced in obtaining a sufficient number of suitable contributions, and for some years it has been the practice to re-print articles from previous issues. The *Nada* for 1943 contains two reprints from the issue of 1925.

Most of the contributions in this number of *Nada* are of local interest though there is a good deal of more general value and interest in the article on " Witchcraft in England and in Central Africa." The second series on " Native Nomenclature " (the first series was published in *Nada* for 1934) is of value to those interested in the origin of Rhodesian place names.

Under the title " Early Matabele Industries," there is published an interesting extract from the unpublished records of George James Wilkerson, who served the London Missionary Society at Hope Fountain from 1896 to 1910.

In the article " Another Dream of the Future," an indication is given of desirable developments which might take place in Native areas and the writer is rightly convinced that something should be done not only to ensure the use of trained African artisans in these areas, but also African medical officers and officials. He indicates that it was at first his intention to deal with the matter in some detail, but later he was satisfied to offer his views as the germ of an idea. It is unfortunate that his first intention was not maintained and this important question dealt with in some detail. If the Southern Rhodesian policy of " parallel development " is to be carried out, it is imperative that Native areas should be more adequately developed and ample scope found for the full use of Africans in their own areas.

Nada would be of much greater value and interest to the general student of Native affairs if some space were devoted to authoritative articles on Native policy, Native education, Native administration and legislation.

P.I.

DIE VERKRYGING EN VERLIES VAN LIDMAATSKAP TOT DIE STAM BY DIE TLHAPING[1]

Deur **F. J. LANGUAGE**

1. INLEIDING

Die doel van hierdie opstel is om 'n oorsig te gee van die verskillende maniere waarop 'n persoon lidmaatskap tot die stam by die Tlahping kan verkry, die regte en pligte van verskillende klasse van stamlede asook die verskillende maniere waarop 'n persoon sy status, regte en pligte as lid van die stam kan verloor.

Die rede waarom hier gepraat word van verskillende maniere waarop lidmaatskap verkry kan word, is eenvoudig omdat 'n stam bestaan uit lede wat hulleself onderwerp of wat verplig word om hulle te onderwerp aan die gesag en leierskap van een persoon wat die hoof of kaptein daarvan is. Dit is geen noodsaaklike vereiste dat 'n stam as 'n politieke eenheid saamgestel kan word alleen deur lede wat aan mekaar deur geboorte of afkoms verwant is nie. Die verwantskapsfaktor speel in die blote lidmaatskap van die stam nie so 'n belangrike rol soos wat mens, oppervlakkig beskou, sou verwag nie. Lidmaatskap tot die stam word gladnie beperk net tot diegene wat as lede daarvan gebore word nie of net tot die afstammelinge van diegene wat oorspronklik van die moederstam af weggebreek het nie. Die Tlhaping vergun aan enige persoon, wat dit vrywilliglik wil aanvaar, die reg om hom by die stam aan te sluit, en die enigste grond waarop dit kan gedoen word is dat die persoon, wat lidmaatskap by die stam begeer, die voorgeskrewe prosedure moet volg en hom volkome aan die kaptein, as die opperste gesag in die stam, moet onderwerp. Getrouheid en lojaliteit aan die stamhoof is die belangrikste en op stuk van sake die enigste faktor op grond waarvan 'n persoon as lid van 'n stam beskou kan word. En dit is hoofsaaklik omdat die verskillende lede van die stam onderdanig en getrou is aan een en dieselfde kaptein dat hulle 'n eenheid vorm en daarom kan van die stam met reg gepraat word as 'n onafhanklike politieke eenheid. Die kaptein is nie alleen hoof en regeerder van die stam nie maar ook die uiterlike teken van die eenheid en die solidariteit daarvan. Enige persoon kan lid word van die stam deur die kaptein daarvan te erken as sy politieke hoof en hom aan sy gesag te onderwerp. So 'n persoon kan sy lidmaatskap tot die stam verloor of verbreek eenvoudig deur hom aan die gesag van die kaptein te onttrek en die stamgebied te verlaat.

'n Tweede faktor wat uitdrukking gee aan die eenheid van die stam is die vereiste dat alle persone wat dieselfde kaptein as stamhoof erken, in die gebied moet woon waaroor die betrokke kaptein permanente jurisdiksie het. Dit is veral in vroeër tye dat dit noodsaaklik was vir 'n persoon om te woon in die stamgebied van die kaptein aan wie hy onderdanig was. 'n Persoon kon nie toegelaat word om in die stamgebied of onder die beskerming van die een kaptein te woon, terwyl hy eintlik onderdanig was aan 'n ander kaptein nie. In aansluiting hiermee was dit in vroeër tye ook 'n vereiste dat 'n persoon, wat nie meer die politieke leierskap van die kaptein wou erken nie, die stamgebied waaroor dié kaptein jurisdiksie gevoer het, sonder versuim moes verlaat. Op dieselfde wyse is niemand toegelaat om in die stamgebied te woon tensy hy 'n onderdaan van die kaptein was nie. Teenswoordig egter vind mens dat baie persone wat hulle nie aan die gesag van die kaptein onderwerp nie, stilswyend toegelaat word om in die stamgebied te woon.

Uit die voorgaande volg dit dus dat lidmaatskap tot die stam òf gedwonge òf vrywillig kan wees. Dit is veral in vroeër tye toe stamoorloë nog baie gevoer is, dat persone, in die reël lede van die vyand, kon gedwing word om in die gebied van 'n ander stam te woon en om hulle te onderwerp aan die gesag van daardie kaptein,

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[1] **Die gegewens in hierdie opstel vervat is die resultate van navorsing wat ek onder die Tlhaping uitgevoer het met die finansiële steun van die Nasionale Navorsingsraad en die H. B. Webb Stipendium wat in 1940 aan my toegeken is.**

So het dit by voorbeeld dikwels na 'n geveg gebeur dat daardie lede van die vyand, wat dit nie kon regkry om te vlug, of wat nie doodgemaak is nie, gevange geneem en gebring is na die kaptein wat dikwels beveel het dat hulle as lede van die stam geïnkorporeer moes word. Die prosedure wat in hierdie verband gevolg is, word hieronder breedvoerig uiteengesit.

Vrywillige aansluiting by die stam van vreemdes het nog altyd, in die verlede sowel as die hede, taamlik dikwels voorgekom. Op hierdie manier kan òf individue òf families òf selfs gedeeltes van vreemde stamme hulle by die Tlhaping-stam aansluit. In hierdie verband word hieronder breedvoerig die prosedure bespreek wat gevolg is in die gevalle van individuele vreemdes en groepvreemdes uit ander stamme.

As gevolg van die feit dat die deure vir aansluiting tot die stam so wyd oopgesit word, maak die Tlhaping teenswoordig hoegenaamd nie 'n homogene of suiwer stam uit nie; by voorbeeld, verteenwoordigers van die volgende stamme woon òf onder die jurisdiksie van die kaptein van die Phuduhutšwana-seksie van die Tlhaping òf het met hulle ondertrou en vermeng, nl. Rolong, Hurutshe, Kwena, Ngwato, Ngwaketse, Kgatla, Tlharo, Kgalagadi, Sotho, Pedi, Ndebele, Rotsi, Boesman, Koranna, Griekwa, Dama, Blantyre en selfs Kleurlinge. Dit is natuurlik moontlik dat meer stamme as wat hier genoem is, verteenwoordig is onder die Tlhaping want by die stamme wat hier genoem is word ook daardie elemente wat deur daardie stamme self opgeneem is, inbegrepe. Die Tlhaping maak self ook nie 'n duidelike verskil in die benoeming van die verskillende stamme nie; so praat hulle by voorbeeld van die *Matebele* en groepeer dan daaronder verteenwoordigers van enige van die Nguni-stamme, soos Ndebele, Zulu, Xhosa, Fingo, Pondo, Swazi, en selfs Shangana-Tonga.

Die verteenwoordigers van hierdie verskillende stamme onder die Tlhaping varieer van een tot etlike honderde, maar hoe sterk elke groep presies verteenwoordig is, is onmoontlik om vas te stel omdat hulle heeltemal verspreid woon onder die 22,000 Tlhaping en geen statistieke omtrent hulle bestaan nie. Baie sulke vreemdes beskou hulleself teenswoordig ook as Tlhaping. Die groot meerderheid behou egter nog hul ou stamnaam soos by voorbeeld die Fingoes, maar omdat hulle met die Tlhaping ondertrou, word dit naderhand moeilik om die korrekte stamverband van sekere afstammelinge te bepaal. Dit ly egter geen twyfel nie dat die lid van enige stam in Afrika, nie noodwendig net 'n Bantoestam nie, hom kan aanmeld by die Tlhaping om Tlhaping-burgerskap te verkry. Daar is die duidelike voorbeeld dat nie alleen persone van Tšwana of Sotho oorsprong Tlhaping-burgerskap kan verkry nie maar ook persone van Nguni oorsprong en selfs Boesman, Koranna en Griekwa.[2]

Dit is dus van groot belang om noukeurig na te gaan die besonderhede hoe dat aansluiting tot die stam kan geskied en wat die status, regte en pligte van die stamlid is omdat dit ook veral teenswoordig o.a. die siviele en kriminele jurisdiksie van die kaptein van die Tlhaping soos dit aan hom deur die blanke owerheid vergun word, ten nouste affekteer.

2. GEDWONGE LIDMAATSKAP

In die ou tye toe oorloë nog baie gevoer is, is lede van die vyand dikwels i.p.v. dood gemaak te word, gevange geneem en gedwing om óf slawe van die veroweraars te word óf hulle as onderdane van die stam te onderwerp met beperkte regte.

Dit dien daarop gewys te word dat Barrow dit ten sterkste betwis dat die Tlhaping ooit enige vorm van slawerny beoefen het. In die verslag wat hy gee van die reis van Truter en Somerville na die Tlhaping, sê hy by voorbeeld die volgende: „Not one of the tribes of Natives between the Cape of Good Hope and the extreme point that has hitherto been discovered in the interior of Southern Africa— not a single creature, from the needy and savage Bosjesman to the more civilized *Booshuana* (dit is die Tlhaping), has the most distant idea of a state of slavery. On the contrary they have all been found in the full enjoyment of

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[2] Indien hierdie bevinding ook geld vir ander stamme van die Unie behoort die owerheid geen moeilikheid te ondervind met die verwydering van oortollige verstedelikte Naturelle en hulle vestiging in die stamgebiede van die Unie nie.

unbounded freedom."[3] Dit is egter nie moontlik om met absolute sekerheid te sê of hierdie bevinding dié is van Barrow of van Truter of van Somerville nie. Sonder enige mate van vooroordeel skyn dit my dat bogenoemde aanhaling die persoonlike opinie van Barrow was. Dit is duidelik uit die volgende ongegronde en misleidende bewering wat hy ook maak, nl. dat die enigste buit wat die Tlhaping in 'n oorlog neem net beeste is, en dat hierdie vrye en gelukkige volk tot sover woon as Delagoa baai ,, where the Portuguese have in vain endeavoured to introduce among them a traffic in slaves."[4] Dat die Tšwana, insluitende die Tlhaping, goed bekend is met die aanhou van slawe is vandag 'n algemeen erkende feit. Die sinoniem vir slaaf is *molala*, d.w.s. 'n arm man of iemand wat nie toegelaat word om iets te besit nie.[5]

(a) *Slawestamme*

Dit was egter nie alle persone wat gevang is wat gedwing is om slawerny te aanvaar nie: niemand wat nie van te vore 'n slaaf was nie kon by die Tlhaping gedwing word om slaaf te word nie. Alleen persone wat afstam van 'n slawestam soos by voorbeeld die Kgaladadi en die Boesman sou by die Tlhaping as slawe opgeneem kon word as hulle in 'n geveg gevange geneem is. Lede van ander stamme soos die Tšwana, Rolong of Sotho wat gevang is, is nie aan slawerny onderwerp nie maar na die kaptein gebring wat beveel het wat met hulle gedoen moes word: of hulle doodgemaak en of hulle as lede van die stam ingelyf moes word. Dikwels het sulke slawe weer ontvlug, maar die kaptein het hulle met gewapende regimente gaan terughaal honderde myle in die woestynstreke.[6] Maar afstammelinge van slawestamme het hulle dienste dikwels aan enige lid van die stam of aan die kaptein vrywilliglik kom aanbied om van hom in ruil daarvoor beskerming en onderhoud te kry.

(i) *Regte en Pligte van Slawe*

Die status, regte en pligte van 'n slaaf was in vroeër tye baie duidelik te onderskei van dié van ander lede van die stam; hulle is met veragting behandel as die persoonlike volgelinge en eiendom van die man wat hulle gevang het of aan wie hulle behoort het en wat die reg gehad het om met hulle te maak net wat hy wil. So beskrywe Burchell by voorbeeld 'n geval waar 'n Tlhaping in 1812 aan hom 'n Boesmankind wou verruil vir 'n skaap.[7] Ook toe Lichtenstein en sy geselskap die Tlhaping in 1805 besoek het, het 'n man na hulle gekom met twee slawekinders om te verkoop; die een was 8 jaar oud, die ander 10. ,, They had fallen into his power as infants, in a war some years before . . . . and as lawful booty were his slaves for ever; he had even full power over their lives. He demanded a live sheep for each, and added, that he wished very much to dispose of them, since he had nothing for them to eat. Very much surprised at this offer, and at hearing that all the servants of the rich were in like manner *the property of their masters*, being prisoners taken in battle, or their descendants, we shewed very plainly how revolting to us was the idea of such a traffic, and positively rejected the offer."[8] Theal sê van die slawe onder die Tšwana: ,, They were in the most miserable condition to which human beings can be reduced, they could not even own a jackal's skin, and their lives were regarded by their tyrants as of no more value than the lives of dogs."[9] Campbell berig dat ,, the Matchappees (d.i. die Tlhaping) treat the aged and those who are very poor like brutes. An old woman was lately allowed to starve at Lattakoo (Dithakong) for want of food, after which they dragged her body, as if she had been a dog, to the outside of the town, that it might be devoured by the wolves; and such is their want of feeling and humanity, that an old man in the town, from total neglect, was actually eaten up by the dogs."[10]

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[3] Barrow, John. *A Voyage to Cochinchina in the Years 1792 and 1793. . . .* to which is annexed An Account of a Journey, made in the Years 1801 and 1802 (deur Truter en Somerville) to the Residence of the Chief of the Booshuana Nation. London. 1806. p. 405.

[4] Barrow, p. 406.

[5] Burchell, W. J. *Travels in the Interior of Southern Africa.* London. Vol. II. 1824, p. 348.

[6] Vergelyk Moffat, R. *Missionary Labours and Scenes in Southern Africa.* London. 1842. p. 8.

[7] Burchell. 1824. Vol. II. p. 473.

[8] Lichtenstein, H. *Travels in Southern Africa in the Years 1803-1806.* 1812. Vol. II. pp. 315-316. Kursivering van my.

[9] Theal, George McCall. *The Yellow and Dark-skinned People of Africa South of the Zambesi.* London. 1910. p. 152.

Uit die voorgaande blyk dit dus afdoende dat die slawe onder die Tlhaping die uitvaagsels in die samelewing was. Hulle is ook nie toegelaat om met Tlhaping vrouens te trou nie. Ingeval so 'n ,, huwelik " plaasvind sou die vrou dieselfde status as haar man verkry en sy sou as gevolg daarvan deur haar familie ook heeltemal onterf word. Aan die ander kant was die Tlhaping in vroeër tye geregtig om die dogters van hul slawe vir hulleself te neem, maar geen *bogadi* is vir hulle gegee nie ; hulle is as bywywe beskou en het geen status in die huishouding van die man gehad nie. Ook hul kinders het die status van slawe beklee.

Moffat verstrek oor die regte en pligte van slawe die volgende gegewens : ,, These Balala were once inhabitants of the towns, and have been permitted or appointed to live in country places for the purpose of procuring skins of wild animals, wild honey, and roots, for their respective chiefs . . . . (and) assist them in watching and harvesting the gardens of their wives. They are never permitted to keep cattle, and are exposed to the caprice, cupidity, and tyranny of the town lords, whenever they happen to come in their way. They live a hungry life, being dependent on the chase, wild roots, berries, locusts, and indeed any thing eatable that comes within their reach : and when they have a more than usual supply, they will bury it in the earth, from their superiors, who are in the habit of taking what they please. Resistance on their part would be instantly avenged with deadly javelin. When hunting parties go out to kill game, the Balala, men and women, are employed to carry grievous burdens of flesh to the rendezvous of the hunters, in return for which they receive the offals of the meat, and are made drudges so long as the party remains. They are never permitted to wear the furs of foxes and other animals they obtain. The flesh they may eat, but the skins are conveyed to the towns, for which they obtain a small piece of tobacco, or an old spear or knife. Indeed, all the valuable skins of the larger animals, which they sometimes procure by hunting and pitfalls as well as the better portions of the meat, they have to yield to their nominal masters, except when they succeed in secreting the whole for their own use. Their servile state, their scanty clothing, their exposure to the inclemency of the weather, and their extreme poverty, have, as may be easily conceived, a deteriorating influence on their character and condition."[11]

Slawemans was verder verplig om die beeste van hul meester op te pas, hom op reis te vergesel om sy goed vir hom te dra en kos vir hom te kook ; verder om wanneer dit nodig was slagwerk te doen, velle te brei, ens. Slawevrouens in die stat moes al die kookwerk doen, water dra, vuurmaakhout soek, hutte uitsmeer, lande help skoffel, oes, ens. Ook slawekinders het nie vrygespring nie en het hulle besondere pligte gehad.

Slawe kon deur hulle eienaar aan 'n vriend uitgeleen word om vir hom een of ander werk te verrig, maar as hulle deur dié persoon mishandel is, kon hulle weier om verder vir hom te werk. Hulle het egter nie die reg gehad om rond te loop sonder die toestemming van hul eienaar nie. Moffat sê van die slawe verder : ,, to prevent their elopement, when their services are required the following day, they are something hedged into a fold made of hook-thorn bushes, precisely like so many sheep, and there they must pass the night."[12]

Slawe het net teoreties die reg gehad om aktief deel te neem aan die verrigtinge van 'n hofsaak in die *kgotla* of aan die besprekinge van stamsake op 'n stamvergadering. Die Tlhaping sê by voorbeeld *Mahoko a kgotla a mantle otlhe* (alles wat in die *kgotla* gesê word, deur wie ook al, is goed, toelaatbaar). En ook : *Molao wa monna mosetlhane ga o nyadiwe* (die reg—toespraak—van 'n arm man moet nie verag word nie.) Maar die Tlhaping sê ook net mooi die teenoorgestelde, nl. *Molao wa mosetlhane ga o tsêwe* (die reg van 'n arme word nie in aanmerking geneem nie.) In die reël word daar meer waarde geheg aan wat gesê word deur 'n man van aansien as nurde' arme. Maar al sou 'n persoon brand-arm wees, sou dit hom nie verhinder om aan die beslegting van hofsake of die bespreking van stamsake aktief deel te neem as hy 'n verstandige persoon was nie. So sou die slaaf van 'n aansienlike persoon in die stam die reg hê om aan hierdie verrigtinge aktief deel te neem mits hy daartoe kan bydra om die sake onder bespreking in 'n helderder lig voor te stel en te help oplos, anders sou hy op die oomblik dat hy 'n poging aanwend om te praat doodgeskree word.

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[10] Campbell, John. *Travels in South Africa*....being a Narrative of a second Journey in the Interior of that Country. London. 1822. Vol. II. p. 210. Vgl. ook Moffat p. 306-307.

[11] Moffat. *Op. Cit.*, pp. 9-11.

[12] Moffat. p. 383.

Slawe is egter nie toegelaat om sonder die bystand van hul eienaar 'n hofsaak te dryf of om voor 'n hof gedaag te word nie, tensy dit voor die hof van die eienaar self is. Slawe is egter selde indien ooit formeel voor 'n hof van 'n misdaad aangekla deurdat hulle in die praktyk nie op 'n billike verhoor geregtig was nie. Wanneer 'n slaaf 'n misstap begaan het, het die eienaar of benadeelde persoon somar eie-reg gebruik, en slawe is somar vir die nietigste oortredinge van kant gemaak sonder dat 'n haan daarna gekraai het.

Slawe is ook toegelaat om die stamskole van die Tlhaping by te woon en om lede van die regimente te word, dog altyd in 'n ondergeskikte hoedanigheid.

(ii) *Afskaffing van Slawerny*

Dit is nie seker hoeveel slawe die Tlhaping in vroeër tye gehad het nie. Moffat[13] praat eenvoudig van baie slawe wat aan elke stat van die Tlhaping verbonde was, maar hy noem geen getalle nie. Onze Jan Hofmeyr het in 'n onderhoud aan Kolonel Stanley, Koloniale Sekretaris, in 1885 in London gesê: „ The much belauded Mankoroane (Mankurwane was kaptein van die Tlhaping in dié tydperk) was a great slave-holding monarch . . . . for one freeman there were three slaves."[14] Mankurwane skyn die laaste kaptein van die Tlhaping te wees onder wie se bewind slawerny nog 'n instelling was. Na sy dood in 1892 het dié persone, wat aan die begin as slawe beskou is, al hoe meer regte begin verkry en uiteindelik ook volle lidmaatskap tot die stam met dieselfde status, regte en pligte as ander lede van die stam. Hulle het begin om eers met mekaar te ondertrou en vandag nog kan die raseienskappe van Boesman, Hottentot en Bantoe by 'n groot persentasie van die Tlhaping baie duidelik onderskei word. Vroeër, soos reeds aangetoon, het die slawe geen reg gehad om deel te neem aan die bespreking van 'n saak in die stamvergadering nie of om te help om 'n regsgeding te besleg in die *kgotla* nie, maar teenswoordig het die afstammelinge van die vrygemaakte slawe in hierdie opsigte gelyke regte met ander lede van die stam. Die verkryging van meer regte deur slawe en hul afstammelinge hang gedeeltelik saam met die verwatering van die tradisionele stamdisipline.

(b) *Krygsgevangenes*

Oorlog met naburige stamme was een van die vernaamste bedrywighede waarmee die Tlhaping hulle in vroeër tye besig gehou het. Dit blyk egter dat hulle nie sulke dapper vegters was dat hulle altyd as oorwinnaars teen ander sterk stamme geseëvier het nie, en tog het hulle duidelike reëls gehad aangaande die posisie van krygsgevangenes. Die Tlhaping het altyd van die standpunt uitgegaan dat die oorwonnene op geen regte kon aanspraak maak nie. Verskil is gemaak tussen gevangenes behorende tot slawe—en tot ander stamme. Krygsgevangene mans behorende tot die slawe stamme, soos die Kglagadi en die Sarwa, is in die reël doodgemaak, terwyl die vrouens en die kinders as slawe aangeneem is. Dat die posisie van hierdie klas van krygsgevangenes onder die Tlhaping nie juis besonder benydenswaardig was nie, blyk duidelik uit die vorige beskrywing van die posisie van slawe oor die algemeen, asook uit die volgende gebeurtenis wat plaasgevind het net kort voordat Lichtenstein die Tlhaping in 1805 besoek het. Hy beskrywe 'n interessante gewoonte wat die Tlhaping gehad het om nl. 'n oorwinningsfees te vier na elke geveg wat hulle gewen het. By geleentheid van hierdie fees het daar ook 'n seremonie plaasgevind waartoe net diegene toegelaat is wat in die geveg een van die vyand doodgemaak het as bewys waarvan hy 'n stukkie vel van die vyand met die naeltjie daaraan moes toon. Vir elke teenstander wat doodgemaak is, het die held dan as 'n eerbewys 'n snywond gekry aan die dy van die been. 'n Kort rukkie voordat Lichtenstein by die Tlhaping aangekom het, het die Tlhaping 'n bende Boesmans oorval en doodgesteek. Daar was egter nie soveel Boesmans dat elke lid van die stam een kon doodsteek nie en een wat goed bekend was as 'n lafaard was so beskaamd dat hy gou-gou een van sy krygsgevangenes gaan doodsteek het om toegang tot die heldefees to kry. ,, The deed was never condemned ; it was rather applauded as an ingenious device : a proof that the life of prisoners taken in war is at the absolute disposal of the conquerors, and is considered as a present whenever spared. These bondsmen are regarded, indeed, as a separate class of people ; no other servants are included under this appellation, only the prisoners of war."[15] Hiervolgens sou die kaptein geen regte gehad het op krygsgevangenes wat tot die status van slawe verlaag is nie.

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[13] *Op. cit.*, p. 8.

[14] J. H. Hofmeyr: *The Life of Jan Hendrik Hofmeyr* (Onze Jan). Kaapstad. 1913. p. 274.

In geval van persone wat in gevegte gevange geneem is en wat nie tot die status van slawe verlaag is nie, het die kaptein 'n sekere mate van seggenskap gehad. Die krygsman het natuurlik die reg gehad om elkeen van die vyand wat hy teëkom, dood te maak, maar hy was verplig om diegene wat hy gevange geneem het, uit te lewer aan die kaptein wat in die reël verklaar het dat hulle toegelaat moet word om in die stamgebied te woon en sy onderdane te word. By die Phuduhutšwana is sulke gevangenes toegelaat om in die hoofstat te woon waar hulle onder die persoonlike toesig van die kaptein kon wees. Die opvatting het bestaan dat sulke gevangenes nie kon toegelaat word om in 'n groep of eenheid op hulleself te woon nie, uit vrees dat hulle maklik teen die kaptein in opstand kon kom ; hulle moes hulle woonplek by of naby die hoofstat maak verspreid onder die ander lede van die stam.[16] In sommige gevalle is hulle op betaling van 'n losprys van 2 of 3 beeste weer op vrye voet gestel om na hul oorspronklike stamme terug te keer.

(i) *Pligte van Gevangenes*

Hulle was ook verplig om sekere dienste vir die kaptein te verrig om en by die hoofstat of in sy landerye, maar nie in die veeposte nie, want hulle sou al te maklik met die vee van die stam kon ontvlug het. Om hierdie rede het die kaptein sy eie veewagters gehad. Behalwe die oppas van vee is daar nie groot verskil gemaak tussen die Tlhaping en hierdie vreemdelingburgers nie. Hulle was verplig om net soos ander lede van die stam belasting (*lekgetho*) aan die kaptein te betaal. In die reël is al hul vee in die oorlog gekonfiskeer sodat hulle hulself van die begin af weer moes opwerk. Die belasting wat hulle moes betaal, is nie vasgestel nie maar die hoeveelheid daarvan het afgehang van wat hulle besittings was, soos velle, deel van hul oeste of van die wild wat hulle jag, ens. Vir die res het hulle dieselfde pligte gehad as ander lede van die stam, wat later bespreek word.

(ii) *Regte van Gevangenes*

Wat hulle regte betref is daar aan die begin van hulle verblyf nogal heelwat onderskeid gemaak. Omdat hulle die vyande van die Tlhaping was en hulle hul nie heeltemal vrywilliglik onderwerp het aan die gesag van die kaptein nie, word hulle aan die begin met agterdog bejeen en nie al te veel regte vergun nie. Daar word ongemerk gedurig 'n wakende oog oor hulle gehou om te sien of hulle nie op een of ander manier die gesag van die kaptein probeer ondermyn nie, ens. Niemand word egter spesiaal vir hierdie taak aangestel nie. Dit is die plig van die kaptein self, van sy raadslede, trouens van elke volwasse manlike lid van die stam. Die gevangenes moet spesiaal in die hoofstat resideer omdat dit die sentrum was, in vroeër tye, van die sosiale lewe, administratiewe waar en judisiële organisasie van die stam, 'n plek vreemdelinge moeilik aandag kan ontduik.

Mettertyd verdwyn alle agterdog teen hulle en word hulle beweginge gladnie meer dopgehou nie, en begin hulle in die *kgotla* en in die *pitšo* (stamvergadering) ook meer regte geniet. Uiteindelik, sonder dat formeel daartoe besluit word, verdwyn alle verskille tussen die status, regte en pligte van die ou en die ,, nuwe " stamlede en word lasagenoemdes beskou as lede met volle regte en pligte net soos die Tlhaping.

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[15] Lichtenstein. p. 331.

[16] Groepe wat vrywilliglik by die stam aansluit, het natuurlik wel die voorreg om so in 'n eenheid saam te woon.

(iii) *Voorwaardes vir verkry van volle Regte*

Die verkry van volle lidmaatskap tot die stam hang dus af van hulle gedrag. As die gevangenes hulle goed gedra en op bevredigende wyse aanpas by die nuwe lewensomstandighede en hulle lot met die Tlhaping inwerp en die blyke gelewer het dat hulle die volle verantwoordelikheid van 'n lid van die stam aanvaar het, dan word hulle sonder meer beskou as lede met dieselfde regte en pligte as ander lede van die stam. As hulle egter weier om hulle te onderwerp aan die gesag van die kaptein, staan dit hulle altyd vry om hulle onderdaanskap met hom te verbreek deur hulle self uit die voete te maak. Lede van die stam wat so stilletjies wegdros, word ook nie opgespoor nie. Die Tlhaping reken dat dit niks help om sulke mense gedurig teen hul sin en wil te dwing om die kaptein as hulle politieke hoof te erken nie: hulle sou vir die stam geen voordeel of versterking wees nie, eerder die teenoorgestelde. Maar as hulle nie sleg behandel word nie, as die kaptein aan hulle persoon, eiendom, ens., volle beskerming verleen en blyke gee van sy ingetoënheid met hulle verblyf onder sy gesag, kan dit maklik daartoe aanleiding gee dat die gevangenes hulle tog vrywilliglik by hom sal aansluit en dat hy deur sy simpatieke optrede meer persone sal aanlok om by hom beskerming te kom soek. So by voorbeeld het dit in 1881 gebeur dat 'n groepie Fingo vlugtelinge uit die Transkei by Mankurwane beskerming gesoek het. Toe dit aan hulle verleen is en daar kort daarna 'n oorlog tussen die Tlhaping en die Korannas uitbreek, het die Fingoes baie dapper aan die kant van die Tlhaping geveg sodat die kaptein hulle na die oorlog sonder enige verdere voorwaardes volle lidmaatskap tot die stam verleen het. Hulle is selfs toegelaat om onder die gesag van hulle eie hoofman te woon wat opgeneem is as een van die kaptein se onderhoofde en dit vandag nog is.

3. VERKRY VAN LIDMAATSKAP DEUR 'N VREEMDE

Dit is ten alle tye moontlik vir 'n lid van enige vreemde stam om sy lidmaatskap met daardie stam te verbreek en aansoek te doen om by die Tlhaping aan te sluit. Sulke aansoeke is in vroeër tye gewoonlik nie van die hand gewys nie, want oorloë was volop, onderdane was maar min en weerbare manne dus altyd welkom. So het die gesegde, wat baie sulke aansoeke laat slaag het, by voorbeeld ontstaan ***goa ba se le marumô ga se lelekwe*** ('n geharde man met asgaaie moet nie weggeja word nie.) In vroeër tye was dit egter nie so maklik vir enkeling-vreemdelinge om by die stam aan te sluit soos die geval teenswoordig is nie. 'n Volwasse individu moet tog altyd 'n familie hê, en individue wat sonder hul familie by die stam wou aansluit het hulleself altyd onder verdenking geplaas. Sulke enkelinge het hulle in vroeër tye dikwels as verarmdes, slawe of bedelaars voorgedoen en op hierdie manier uitstekende spioendiens vir die vyande van die stam verrig. Dit was dus in belang van die stam, vir die kaptein en sy raadslede om die aansoeke van enkelinge eers deeglik te ondersoek alvorens dit toe te staan.

(a) *Vereistes gestel aan Applikant*

Die Phuduhutšwana het nooit toegelaat dat 'n persoon van slegte gedrag en karakter by die stam aansluit nie, en het daaronder verstaan 'n persoon wat te lui was om te werk of te veg, 'n dief, ens. Ten einde ondersoek in te stel na 'n persoon se gedrag en karakter moes daar altyd eers 'n tydjie verloop voordat dit formeel toegestaan word. Hy moes in die ***kgotla*** verskyn en daar as 't ware eers onder 'n kruisverhoor deurloop voordat sy aansoek gunstig oorweeg kon word. As daar enige gronde vir suspisie bestaan het, is die aansoek van die hand gewys.

Die Maidi het ook deeglike ondersoek na 'n persoon se karakter ingestel, maar hulle het 'n persoon van slegte gedrag nooit van die hand gewys nie. Hulle het van die standpunt uitgegaan dat hy net soos ander lede van die stam gestraf kon word indien hy by voorbeeld 'n oortreding van die stamwette begaan het. As straf nie sou help nie, is hy verban en nie toegelaat om terug te keer nie.

(b) *Prosedure*

Die prosedure wat gevolg word wanneer 'n enkeling hom by die stam wil aansluit is die volgende: Hy kan eers vir hom 'n plekkie uitkyk waar hy graag wil woon. Dan moet hy die betrokke wykshoof of distrikshoof van sy planne meedeel en as hulle met sy aansoek instem, is dit hulle plig om hom na die kaptein te bring en sy saak aan hom voor te lê. Die feit dat hulle hom aan die kaptein kom voorstel (*go mo šupêtsa kgosi*) is alreeds bewys dat hulle gewillig is om hom toe te laat om op die plek wat hy aangewys het, te woon. Inderdaad het hulle hom na die kaptein gebring om vir hom as voorspraak te dien en sy aansoek te ondersteun. Die persoon kan egter nadat hy vir hom 'n plekkie uitgesoek het direk met die kaptein in die hoofstat gaan onderhandel, en dit sou dan die plig van die kaptein wees om die distrikshoof of wykshoof onder wie die persoon hom wil vestig, te laat roep en van hulle verdere besonderhede te verkry en te verneem of hulle met sy aansoek instem. As die persoon verkies om te woon in die distrik of wyk van die kaptein self dan is dit laasgenoemde se plig om eers die oudstes van sy wyk en ten minste sy hoof ,, induna " te raadpleeg voordat hy sy toestemming verleen.

Dit is alleen die kaptein wat die reg besit om aan 'n vreemdeling toestemming te verleen om hom in die stamgebied te vestig en by die stam aan te sluit. Bloot op eie inisiatief kan die kaptein egter nie besluit nie : hy moet ten minste sommige van sy raadslede raadpleeg. As die hoofman weier om die applikant in sy wyk te neem moet die kaptein daar notisie van neem, maar nietemin die hoofman versoek om hom tog 'n kans te gee ; as die man dan binne 'n bepaalde tydperk die bewys lewer dat hy 'n ongewenste persoon is, moet hy teruggestuur word waar hy vandaan kom. As die hoofman volhou met weier en die kaptein sien genoeg rede om die applikant nie af te wys nie, kan hy hom versoek om maar liewer in die hoofstat te kom woon.

Die persoon wat toestem dat die applikant by hom moet woon, is ook verantwoordelik vir sy gedrag. Dit is sy plig om die doen en late van die applikant ongemerk maar noukeurig dop te hou en van tyd tot tyd aan die kaptein te rapporteer. Terselfdertyd word die applikant goed gewaarsku dat sy verblyf in die stam toegelaat word onderhewig aan die vereiste dat hy die wette van die stam nougeset nalewe. Hy word daarop gewys dat hy alle bande met sy vorige stam moet verbreek en dat hy trou verskuldig moet wees aan net een kaptein. Dit word altyd gesê : *moeng ga dibedi* ('n nuweling of rondloper is nie dubbelhartig of tweevoudig nie).

(c) *Redes vir Verbreking van Lidmaatskap*

Die redes waarom 'n persoon sy lidmaatskap met 'n stam verbreek en by 'n ander stam aansluit is menigvuldig en dikwels van 'n persoonlike aard maar die vernaamste rede wat ook die kapteinskap affekteer, is die soek na veiligheid en behoorlike beskerming van jou persoon, naam en eiendom. As 'n persoon voel dat hy geen genoegsame veiligheid of beskerming van sy kaptein geniet nie, kan hy eenvoudig van hom wegtrek sonder om hom te sê en dit gaan soek by 'n ander kaptein wat bekend is vir sy goeie behandeling van sy onderdane. Die persoonlike gedrag van die kaptein het baie te doen met die mate van agting, vertroue en lojaliteit wat sy onderdane in hom stel. As hy sy pligte teenoor sy onderdane verwaarloos of hom skuldig maak aan partydigheid in sy uitsprake in die howe of wette maak wat die lewe vir hulle onuithoubaar maak, kan hulle voorspoed en veiligheid onder sy bestuur daaronder ly, met die gevolg dat hulle sonder om verdere verpligtinge teenoor hom na te kom sy gebied verlaat en onderdaanskap gaan soek by 'n ander kaptein waar daar 'n groter mate van billikheid en tevredenheid onder die stamlede heers.

4. VERKRY VAN LIDMAATSKAP DEUR GROEPVREEMDES

(a) *Prosedure*

Wanneer 'n groep van persone besluit om van hulle stam weg te breek en hulle te gaan vestig onder die jurisdiksie van 'n ander kaptein is die prosedure onder normale omstandighede dat hulle vooraf deur middel van 'n afgevaardigde, in die reël die familiehoof, eers behoorlike ondersoek instel of daardie kaptein gewillig is om hulle te ontvang, en om uit te kyk na hoe sake oor die algemeen staan in die gebied waar hulle van plan is om hulle te vestig. Eers nadat alle nodige formele onderhandelinge plaasgevind het en toestemming verkry is van die kaptein kan die groep dan wegtrek, met of sonder die medewete van hulle eie kaptein, en hulle in die nuwe gebied gaan vestig. In tye van oorlog was dit dikwels nie moontlik om onderhandelinge oor 'n lang tydperk te voer nie, of vir 'n groep om as gevolg van onderlinge twiste langer onder hul eie kaptein te bly woon nie, of om in 'n kort tydjie elders veiligheid te verkry nie. As dit vir 'n groep persone onmoontlik was om hulle trek na die nuwe kaptein uit te stel totdat onderhandelinge getref en formeel toestemming verkry is, kan hulle sonder versuim na hom toe trek, maar om te verhoed dat hulle die kaptein daar die skrik of die lyf gaan ja, of dat hy dink dat dit 'n vyand is wat hom aanval, het hulle gewoonlik 'n boodskapper vooruit gestuur om die kaptein van die omstandighede van hulle koms op hoogte te stel. As die kaptein dan weier om hulle onder sy beskerming te neem, iets wat selde indien ooit gebeur het in die verlede, dan moet die boodskapper dadelik met die boodskap die groep tegemoet gaan wat dan van hulle planne moet afsien en beskerming by 'n ander kaptein moet gaan soek.

(b) *Pligte van die Kaptein*

Onder normale omstandighede lê die kaptein die saak egter eers aan sy raadslede vir bespreking voor. As hulle meen dat daar 'n moontlikheid is dat die groep kan toegelaat word om hulle intrek by hulle te neem sonder dat daar moeilikhede of gevare vir die stam daaruit kan voortvloei, stuur hulle, om dood seker te maak, een of meer van die kaptein se vertroude raadslede as afgevaardigde om ondersoek te gaan instel oor die redes waarom die groep van hulle stam wegtrek en die omstandighede waarom hulle na hierdie bepaalde stam toe wil kom. Dit is nie nodig om die toestemming van hulle kaptein vooraf te kry nie maar as hy die kaptein is van een van die naburige stamme moet hy in die saak geken word, anders kan hy sy volgelinge by die nuwe kaptein kom opeis, iets wat aanleiding kan gee tot 'n geveg met die stam.

(c) *Gevare verbonde aan Groepvreemdes*

Die aansoek van groepvreemdes om by die stam aan te sluit, is 'n saak wat die noukeurigste aandag vereis en met groot takt afgehandel moet word. So 'n aansoek was in die verlede nooit onwelkom nie, maar die goedkeuring daarvan het vir die stam altyd groot gevare ingehou. Die vreemdes kon by voorbeeld te veel wees en moontlik 'n element in die stam vorm, wat hoewel dit 'n minderheid is, tog so sterk en gedug kan wees dat hulle die stam selfs kon aanval en die kaptein oorboord gooi. Of so nie kon in die verlede die kaptein van so 'n groep hulle met geweld van die stamgebied kom terughaal het. So 'n ekspedisie het vir die stam baie ernstige gevare ingehou, waarmee rekening gehou moes word.

(d) *Goedkeuring van Kaptein*

Dit was die plig van die kaptein om so 'n aansoek vir behoorlike ondersoek en bespreking voor sy raadslede te lê, en as hulle tot die gevolgtrekking gekom het dat dit vir die veiligheid en belange van die stam nie bevorderlik is dat so 'n groep van vreemdelinge tegelyk daarin toegelaat word nie, het die kaptein teoreties die reg gehad om hulle besluit te „veto" maar in die praktyk het hy daarby berus.

(e) *Vestiging van Groepvreemdes*

Ingeval hulle aansoek toegestaan word, besluit die kaptein in raadpleging van sy raadslede waar en hoe hulle hul moet vestig. Gewoonlik word hulle nie toegelaat om op enige plek in die stamgebied te woon nie; die vereiste is dat hulle op 'n geskikte plek so naby moontlik die hoofstat moet woon waar hulle gedurig onder oog gehou kan word. Aan die begin veral word hulle baie noukeurig deur die lede van die stam dopgehou. Buitendien het sulke vreemdelinge in vroeër tye self verkies om so naby moontlik die hoofstat te woon omdat hulle daar altyd die veiligste was. Eers as hulle vir etlike jare al in die stam woonagtig was, kon hulle self kies onderhewig aan die goedkeuring van die kaptein om op 'n ander plek in die stamgebied te gaan woon. Die Phuduhutšwana laat toe dat sulke vreemdelinge in 'n groep naby die hoofstat woon, indien hulle dit verkies, onder die direkte gesag van hulle eie hoofman. Maar die Maidi meen dat dit meer bevorderlik is vir die belange van die stam as die groep opgebreek word en verspreid oor die stamgebied moet woon: dit sou dan enige gevare wat hulle as 'n eenheid vir die stam kon wees, tot 'n groot mate uitskakel. As hulle nie gewillig is om verspreid te woon nie, word dit aangeneem as bewys dat daar iets geheimsinnigs in hulle aansoek skuil en kan dit om daardie rede nie toegestaan word nie.

(f) *Onderdanige Stamme*

Melding moet hier ook gemaak word van die feit dat stamme of gedeeltes van stamme in vroeër tye, hulle stamgebiede soms verlaat het of van hulle stamme af weggebreek het om by die Tlhaping te kom aansluit en om in laasgenoemde se stamgebied te woon. Soos Burchell by voorbeeld berig, het sommige swakkere stamme wat nie in staat was om hulle teen die vyand te beskerm nie, hulleself vrywilliglik geplaas onder die beskerming van 'n sterker stam. So noem hy by voorbeeld die geval van die „ Bamuchars[17] at Patani, whose numbers were too few to exist as an independent town, and who have therefore submitted to the authority of the chief of the Bachapins (d.i. die Tlhaping), their nearest neighbours. In the same manner those of the Karrikarries[17] whose distance from the great body of their own nation leaves them almost a neutral and scattered people, acknowledge the chief at Litakun (Dithakong) as their head ; while other borderers of the same tribe consider themselves as attached to the Barolongs."

Daar is ook voorbeelde van ander stamme wat onder die gesag van die kaptein van die Tlhaping gestaan het of wat met hulle verenig was. Toe Truter en Somerville by voorbeeld die Tlhaping in 1801 by laasgenoemde se hoofstat, Dithakong, besoek het, het hulle gevind dat nie minder as 10,000 Rolong onder hul eie kaptein, Makrakki, ook daar onder die jurisdiksie van die Tlhaping kaptein gewoon het. 'n Jaar later sou Makrakki egter met sy volgelinge weer die stamgebied van die Tlhaping verlaat het.[18] In 1863 het MacKenzie 'n besoek aan die hoofstat van die Tlhaping te Taung gebring en hy sê : „ I found in this neighbourhood a small town of Barolongs."[19] Moontlik is dit 'n seksie van die Rolong wat in 1801 by die Tlhaping gewoon het. Dit kan egter ook 'n nuwe tak wees wat later by die Tlhaping kom aansluit het. Selfs vandag nog woon daar baie Rolong onder die Tlhaping. Dornan berig dat 'n seksie van die Kwena-stam in 1813 naby die hoofstat van die Tlhaping te Dithakong gewoon het.[20] 'n Interessante voorbeeld van 'n onderdanige stam word deur Campbell gegee. By Petani omtrent 20 myl Noord-wes van die hoofstat, Kuruman, het 'n seksie van die Tlharo in 'n statjie gewoon onder die jurisdiksie van Lintua (Dintwa) wat onderdanig was aan Laheisey wat 40 myl verder gewoon het en op sy beurt weer aan die kaptein van die Tlhaping onderdanig was. Die statjie het volgens Campbell bestaan uit 8 distrikte, 323 hutte en omtrent 1615 seile. Hy sê van hulle : „ All matters which they cannot settle among themselves are referred to the decision of the King of Lattakoo (Dithakong). A woman, who thought herself aggrieved, lately appealed to Mateebi (Mothibi, kaptein van die Tlhaping) who sent down orders how it should be settled, and his decision was submitted to."[21]

Die status, regte en pligte van sulke stamme moet nie verwar word met dié van individue of selfs groepvreemdes wat hulle eie stamgebied verlaat en by die Tlhaping as ***lede van die stam*** kom aansluit het nie. 'n Baie beter voorbeeld hiervan sien mens in die geval van die Maidi wat van die vroegste tye af hulle altyd geskaar het onder die beskerming van die Phuduhutšwana, maar wat tog altyd hulle onafhanklikheid bly behou het.[22] Dieselfde het gegeld in die geval van die Rolong, Tlharo en die Hottentotte. Nadat oorloë opgehou het om te bestaan en meer vreedsame tye vir almal aangebreek het, het die noue inter-stam verhoudinge tussen hierdie verskillende stamme ook opgehou en het elke stam onbeskerm deur die ander voortbestaan.

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[17] *Travels in the Interior of Southern Africa.* London 1824. Vol. II. p. 548. Dit is nie heeltemaal duidelik wie presies die Bamuchars is nie. Die „ Karrikarries," van wie daar ook hier sprake is, bedoel seker die Kgalagadi wat een van die slawestamme van die Tlhaping was. Dat hulle egter ten spyte hiervan hul onafhanklikheid behou het, is duidelik.

[18] Lichtenstein. pp. 301 en 325.

[19] MacKenzie, John. *Ten Years North of the Orange River.* Edinburgh. 1871. p. 89.

[20] Dornan, S. S. *Pygmies and Bushmen of the Kalahari.* London. 1925. p. 246.

[21] Campbell. 1822. Vol. II. p. 75. Vergelyk ook pp. 82 en 92.

[22] Sien in hierdie verband my artikel *Die Herkoms en Geskiedenis van die Tlhaping.* African Studies. 1942. Vol. I. No. 2.

Baie individuele lede het egter as lede van die Tlhaping-stam aangesluit en agtergebly.

5. VERLIES VAN LIDMAATSKAP

Daar bestaan by die Tlhaping nie 'n wet wat bepaal dat 'n persoon sy regte as lid van die stam kan verbeur of verloor terwyl hy nog in die stamgebied mag bly woon nie. Alle lede van die stam het volle burgerregte solank hulle in die stamgebied woon en as 'n persoon se burgerregte hom ontneem word, beteken dit dat hy die stamgebied moet verlaat; dit kan hy vrywilliglik doen of verplig word om te doen.

(a) *Vreemdelinge wat wil terugkeer tot hul Stam*

Dit staan enige lid van die stam vry om sy lidmaatskap met die stam te verbreek met of sonder opgaaf van rede. Die prosedure wat gevolg moet word wanneer vreemdeling-burgers, d.w.s. persone wat hul lidmaatskap met hul nuwe stam wil verbreek en weer na hul ou stam toe wil teruggaan, is kortliks as volg: Die eerste vereiste is dat hulle die toestemming moet verkry van die kaptein na wie toe hulle wil terugtrek. Daar is niks wat hom kan beweeg om die aansoek van sy ou volgelinge om tot hom terug te keer, van die hand te wys nie behalwe wanneer hulle om een of ander ernstige oorsaak soos byvoorbeeld towery of moord uit die stamgebied verban is nie. As die persoon wat wil terugkeer egter iemand kan kry om vir hom as voorspraak in te tree, kan sy aansoek miskien gunstig oorweeg word. As die kaptein nie sy toestemming wil verleen nie, kan hulle altyd 'n poging aanwend om by 'n ander kaptein aan te sluit as hulle baie angstig is om van hul huidige kaptein af weg te trek. 'n Kaptein behoort egter baie skepties te wees om persone wat gedurig van die een stam af wegtrek na 'n ander toe as sy onderdane te ontvang. As die toestemming van die vorige kaptein egter verkry is dan is dit wenslik hoewel nie essensieel dat hulle ook die toestemming moet verkry van die kaptein van wie hulle wil wegtrek. As hy nie sy toestemming wil gee nie, kan hulle natuurlik probeer om te ontvlug, maar die kaptein het altyd die reg om hulle te agtervolg, hulle op hul vlug aan te val en hulle besittings te konfiskeer as hulle weier om na hom terug te keer. As die kaptein egter geen besware het teen hulle weggaan nie, moet hulle eers al hul sake in orde bring voordat hulle vertrek; hulle is geregtig om al hul besittings saam te neem beide dié wat hulle met hulle die eerste keer saamgebring het en dié wat hulle in die stamgebied vergader het.

(b) *Verbreek van Lidmaatskap deur eie Lede van die Stam*

Die prosedure wat gevolg word wanneer ou lede van die stam hul lidmaatskap met die stam wil verbreek, is alreeds beskrywe. Ook in sulke gevalle is dit nodig dat hulle die toestemming van hulle kaptein moet verkry voordat hulle kan trek. Dit is egter met groot teleurstelling en teësin dat hy dit toelaat omdat dit beteken dat die prestige en sterkte van 'n ander, miskien naburige en vyandige stam versterk word ten koste van sy eie. Dit gebeur dus selde of ooit dat lede probeer om die permissie van hul kaptein te verkry voordat hulle van hom wegtrek, wat beteken dat hulle eintlik van hom af wegvulg. As hulle hul eiendom en besittings agterlaat, kan die kaptein dit konfiskeer, maar as hulle dit met hulle saamgeneem het en as hulle vlug omdat hulle een of ander kwaad gedoen het, kan die kaptein hulle agterna sit en dit van hulle afneem. As hulle alreeds in die gebied van die nuwe kaptein geland het, het hy egter nie die reg om hulle verder te agtervolg nie omdat hy hom dan sou skuldig maak aan die skending van 'n ander kaptein se regte. Daardie kaptein kan egter die saak ondersoek en as hy meen dat die vlugtelinge se saak op redelike gronde berus, kan hy vir hulle in die bres tree deur óf hulle as sy onderdane aan te neem en hulle teen geweld te beskerm óf deur vir hulle as voorspraak by hul kaptein in te tree. As hulle gewillig is kan hulle dan weer na hom toe terugkeer. Enige aanspraak op eiendom wat vroeër miskien aan hulle behoort het, het hulle deur hulle wegtrek verbeur maar hulle kan nog altyd geskenke van die kaptein of bloedverwante ontvang om hulle 'n kans te gee om weer 'n behoorlike begin te maak. As hulle egter van die stam af gevlug het sonder dat hulle enige kwaad gedoen het, kan die kaptein hulle nie agtervolg nie, maar net hul eiedom wat hulle moontlik agter gelaat het konfiskeer.

(c) *Verbanning*

'n Ander manier waardeur lede hul lidmaatskap tot die stam kan verloor is deurdat hulle as straf vir 'n oortreding deur die kaptein veroordeel is om die stamgebied vir goed te verlaat. Beide vreemdeling-burgers en ou lede van die stam is onderhewig aan hierdie straf maar eersgenoemde meer nog as laasgenoemdes. Hierdie straf word gewoonlik toegepas waanneer sulke oortredinge gepleeg is soos herhaaldelike diefstal, minagting van die kaptein, toordery, vergifting en moord. In die geval van toordery, vergifting, moord en diefstal het die kaptein in vroeër tye die mag gehad om die doodstraf toe te pas, maar die straf van verbanning is in die verlede ook dikwels in sulke gevalle toegepas. Wanneer vreemdelinge wat hulle by die stam aangesluit het, weier om die bevele van die kaptein te gehoorsaam of om die wette van die stam te eerbiedig, kan hulle voor die hof van die kaptein gedaag word en as hulle skuldig bevind word, het die kaptein die mag om al hul eiendom of 'n gedeelte daarvan te konfiskeer as 'n boete, en 'n bevel uit te reik dat hulle binne 'n bepaalde tyd die stamgebied moet verlaat. Die kaptein kan hulle egter ook verban sonder om van hulle eiendom te konfiskeer.

As 'n persoon wat tot verbanning veroordeel is, weier om die stamgebied te verlaat, kan die kaptein een van sy regimente aansê om hom daaruit te verwyder. So 'n persoon kan egter na 'n onbepaalde tyd 'n poging aanwend om weer by die stam aan te sluit. As hy niemand kan kry om vir hom as 'n voorspraak by die kaptein op te tree nie, kan laasgenoemde nadat hy die raadslede geraadpleeg het hom toelaat om terug te kom dog nie voordat hy hom goed die leviete voorgelees het nie. Hy moet dan woon op 'n plek wat die kaptein vir hom aanwys en as daar van sy eiendom voor sy verbanning gekonfiskeer is, kan hy dit nie nou terug eis nie, hoewel die kaptein hom 'n deel daarvan kan teruggee as hy wil, maar die kaptein is nie verplig om dit te doen nie en die banneling het ook geen regmatige aanspraak daarop nie. As die banneling self nie wil terugkeer nie, staan dit altyd sy kinders vry om weer by die stam aan te sluit. Gewoonlik het persone wat uit een stam verban is gaan aansluit by een van die naburige stamme. As hulle daar gasvry ontvang is en goed behandel word, sou hulle nie daaraan dink om weer tot die ou stam terug te keer nie.

6. REGTE EN PLIGTE VAN BESOEKERS IN DIE STAM

(a) *Gasvrye Ontvangs*

Persone van watter stam of nasionaliteit ook al wat besoek by die stam kom aflê, is altyd gasvry en met belangstelling onthaal omdat dit 'n gewoonte van die Tlhaping is om hoflik teenoor besoekers te staan en ook omdat dit dien as 'n advertensie van die kaptein self. Vreemdelinge beoordeel 'n kaptein se behandeling van sy onderdane volgens die behandeling wat hy hulle self gee, en dit kan moontlik persone wees wat op soek is na die beskerming van 'n nuwe kaptein by wie hulle wil aansluit. As hy hulle dus met openlike suspisie en onbeskoftheid ontvang, sal die besoekers hom heel waarskynlik nie eers die ware doel van hulle besoek duidelik maak nie maar inteendeel probeer om weer daar weg te kom so gou soos moontlik. Die besoek van blankes aan die hoofstat is in die verlede altyd met 'n groot mate van nuuskierigheid gadegeslaan, maar teenswoordig trek dit gladnie meer die aandag nie.

(b) *Toestemming*

Dit was in vroeër tye nie nodig dat besoekers eers die toestemming van die kaptein moes verkry voordat hulle in die stamgebeid kon kom nie, maar dit was noodsaaklik dat alle vreemdelinge se teenwoordigheid in die stamgebied onmiddellik aan die kaptein gerapporteer moet word ; alleen dan kon hulle aanspraak maak op die beskerming van hulle persoon deur die kaptein, anders sou hy amptelik geen kennis van hulle dra nie, en nie verantwoordelik wees vir wat met hulle gebeur nie, ens.

(c) *Beskerming*

Sodra die besoek van 'n vreemdeling aan die kaptein gerapporteer is, moes hy dit ook aan sy raadslede en onderhoofde bekend maak sowel as aan die eersvolgende stamvergadering as die persoon dan nog in die stamgebied verkeer. Terselfdertyd moet hy instruksies gee hoe die persoon ontvang moet word. Besoekers kon óf by die hoofstat tuisgaan waar hulle onder die persoonlike toesig van die kaptein verkeer, óf hulle kon tuisgaan by een van die onderhoofde van die stam. Gewoonlik het die aard van hulle besoek bepaal of hulle by die hoofstat en of hulle elders sou tuisgaan. Wanneer die besoeker sy teenwoordigheid aanmeld moes hy ook dadelik die doel van sy besoek verduidelik. As instemming daarmee betuig word, kan die besoeker toegelaat word om in die stamgebied te vertoef solank as wat hy wil, maar hy word nie toegelaat om daar te bou en in die stamgebied te bly woon nie. Vir hierdie doel sou hy nie as besoeker kon beskou word nie.

(d) *Regte en Pligte*

Solank besoekers in die stamgebied verkeer, staan hulle onder die beskerming van die kaptein, en waarheen hulle in die stamgebied ook al gaan is dit die plig van die onderhoofde van die stam om na hulle om te sien. As hulle klagtes het, moet dit by die hoofman of die kaptein ingedien word, wat dit dan moet ondersoek ; as 'n misdaad teen hulle begaan word, word die skuldige voor die hof gedaag en beboet. Dit word van hulle verwag om hulle by die wette van die stam neer te lê solank as wat hulle in die stamgebied verkeer. As die besoeker self 'n oortreding begaan het, word hy voor die hof van die kaptein gebring en as dit bevind word dat hy die oortreding begaan het nie wetende dat dit 'n oortreding kragtens die wette van die stam is nie, kan hy moontlik net gewaarsku en dan vrygelaat word ; maar as bevind word dat dit 'n oortreding is ook kragtens een van die wette van die stam waarvan die besoeker 'n lid is, word hy deur die kaptein skuldig bevind en beboet. Dit is dan die plig van die kaptein om die kaptein van die besoeker in kennis te stel van die oortreding wat hy begaan het en die boete wat hy hom opgelê het. Die reg van die Tlhaping bepaal dat die kaptein van die een stam die regsmag het om 'n lid van 'n ander stam, wat in sy stamgebied vertoef, te veroordeel.

(e) *Bywoon van Stamvergaderings*

Dit staan besoekers vry om stamvergaderings waar nie geheime sake bespreek word nie, by te woon en hulle het selfs die reg om aan die besprekinge deel te neem. As die besoeker 'n taal praat wat nie deur die aanwesiges verstaan word nie, kan 'n tolk die vertaalwerk doen as daar een gevind kan word, anders is dit twyfelagtig of hulle aan die verrigtinge kan deelneem. Op dieselfde wyse het besoekers aan die stam ook die voorreg om aan die beslegting van hofsake deel te neem en dit te help oplos.

(f) *Verlaat van Stamgebied*

As besoekers die stamgebied verlaat moet hul plan om te vertrek vooraf aan die kaptein bekend gemaak word. As dit besoekers van hoë lui is of „ indunas " van ander stamme, moet die kaptein hoflikheidshalwe een of meer van sy raadslede aansê om hulle te vergesel tot buite die grense van die stam ; dan kan daar immers sekerheid bestaan dat hulle die stamgebied verlaat sonder om aangerand te word of om self 'n skade of oortreding aan te rig.

7. REGTE EN PLIGTE VAN ONDERDANE

(a) *Inleiding*

Ek ag dit nodig om hier net 'n beknopte oorsig te gee van die regte en pligte van die onderdaan, en die hoofdoel is eintlik net om aan te toon wat die ooreenkomste en verskille is tussen die status, regte en pligte van gebore onderdane aan die een kant en verworwe onderdane aan die ander kant.

(b) *Regte van Onderdane*

Die regte van 'n gebore onderdaan van die stam kan kortliks as volg opgesom word :

Elke manlike lid van die stam is sonder om iets daarvoor te betaal, geregtig op 'n stukkie grond, wat groot genoeg is vir hom en sy vrou of vrouens en ander afhanklikes om op te woon sowel as op 'n stukkie beboubare grond vir elk van sy vrouens wat groot genoeg is om die betrokke familie te onderhou, as ook die reg om die vee wat hy besit kosteloos in die stamgebied te laat wei. In geval die persoon 'n misoes maak of gebrek ly aan lewensmiddele is hy geregtig om van die kaptein onderhoud te eis vir homself en diegene wat van hom afhanklik is. As dit nodig is kan die kaptein self 'n ondersoek ter plaatse na die misoes instel of laat instel deur een van sy onderhoofde of raadslede. Op die persoon aan wie die onderhoud verskaf word, rus daar geen spesiale verpligtinge nie, maar die kaptein het die reg om hom te laat werk vir die onderhoud wat hy hom gee. Die aard van die werk wat die kaptein hom laat doen, hang van omstandighede af, soos by voorbeeld velle brei, pale kap, transport ry, ens. As die persoon, wat die misoes gehad het, ander middele van bestaan het, is hy nie geregtig om van die kaptein onderhoud te eis nie. So ook as hy gebrek ly as gevolg van sy eie toedoen, omdat hy by voorbeeld lui of nalatig was en nie sy landerye behoorlik opgepas het nie, is die kaptein nie verplig om hom en sy familie te onderhou nie.

Hy is geregtig op die beskerming deur die kaptein van sy persoon, eiendom en reputasie ; ten alle tye wanneer hy aangerand, benadeel of belaster word, kan hy hom op die howe beroep en sy reg handhaaf. Binne die stamgebied het hy vryheid van beweging maar sodra hy hom buite die stamgebied wil beweeg, moet hy teenswoordig eers toestemming verkry. Hy is egter nie geregtig om binne die stamgebied te gaan woon op enige plek net waar hy wil nie ; daarvoor is die toestemming nodig van die distrikshoof so nie van die kaptein en in sommige gevalle selfs van die Naturelle-kommissaris van die distrik.

(c) *Pligte van Onderdane*

(i) *Eie Lede en Vreemdeling-lede*

Die onderdaan is verplig om die gesag van die kaptein in wie se stamgebied hy woon te erken en te respekteer ; om sy bevele te gehoorsaam, en om die wette deur hom gemaak uit te leef. Hy is verplig om jaarliks 'n onbepaalde deel van die opbringste van sy oes aan die kaptein af te staan as 'n vergoeding vir die reg om as onderdaan te bly woon in die stamgebied en as 'n blyk van sy onderdaanskap en erkenning van die gesag van die kaptein. Ook moet hy as die kaptein 'n belasting op die stam gelê het sy deel daartoe bydra. Verder is hy verplig om wanneer die kaptein dit vereis vrye arbeid vir die kaptein te gaan verrig soos by voorbeeld die omploeë van die stamlanderye wat aan die kaptein behoort, ens. Hy moet ook die stamvergaderings bywoon en verder alle verpligtinge nakom wat deur die tradisies van die stam op elke onderdaan rus.

Die regte en pligte van volgelinge van die kaptein wat uit ander stamme afkomstig is, is dieselfde as die van die gebore onderdane, en teoreties word daar tussen gebore en verworwe onderdane geen onderskeid gemaak in die mate waarin hulle regte vergun of nagekom moet word nie. Hulle is geregtig op eweveel grond, sowel as onderhoud in tye van hongersnood. Hulle het dieselfde aanspraak op beskerming van hul persoon, eiendom en reputasie, en het dieselfde vryhede van beweging as ander lede van die stam. Wat hul verpligtinge betref moet hulle al die wette van die stam onderhou, werk verrig vir die kaptein, belastings betaal, onderdanig wees aan die kaptein, sy bevele gehoorsaam, stamvergaderings bywoon, en verder hulle nie skuldig maak aan die skending van die tradisies en instellinge van die stam nie. Maar hulle word ook toegelaat om te lewe volgens hulle eie gewoontes en wette mits hulle nie daardeur die wette van die Tlhaping oortree nie. So word hulle by voorbeeld toegelaat om onder mekaar te trou volgens hul eie gewoontes, maar die Maidi bepaal dat as 'n vreemdeling-burger met 'n Tlhaping vrou trou dit volgens Tlhaping gewoonte moet wees. So ook kan die vreemdelinge hul eie inisiasie-skole hê, maar dan moet hulle eers toestemming van die kaptein verkry om dit te hou. Hulle word egter nie verbied om hulle seuns en dogters die Tlhaping inisiasieskole te laat deurgaan nie, en geen pressie word op hulle uitgeoefen om die een of ander te doen nie. In ander stamseremonies soos by die fees van die eerste vrugte, toe dit nog gehou is, word daar voorkeur gegee aan eie stamlede bo vreemdelinglede.

(ii) *Taalregte*

Vreemdeling-lede geniet ook gelyke taalregte ; hulle word nie verplig en dit word ook nie van hulle verwag om Tšwana aan te leer of te praat nie. Hulle taalregte is ten volle beskerm in die daaglikse omgang, in onderhandelinge met die stamhoofde, in die *kgotla* van die kaptein en selfs in die stamvergaderings. Daar word geen besware geopper as 'n stamlid van vreemde tong in 'n hofsaak of stamvergadering hom van sy eie taal bedien nie. As hy nie deur die aanwesiges verstaan kan word nie, wat teenswoordig dikwels die geval is, kan 'n tolk gebruik word om die nodige vertaalwerk te doen. Die spreekwoord sê ;

Mahoko a kgotla a mantle otlhe, d.w.s. al die besprekinge in 'n hof is goed afgesien van wie daaraan deelneem. In die erkenning van gelyke taalregte word ook geen verskil gemaak tussen die verskillende tale nie. Amptelik word egter net Tšwana gebruik en die gebruik van ander tale toegelaat soos omstandighede dit vereis. As 'n paar stamlede van vreemde oorsprong in 'n hofsaak of stamvergadering teenwoordig is, word die verrigtings in Tšwana afgehandel en as hulle dit nie verstaan nie, kan hulle iemand kry om dit vir hulle privaat te vertaal, maar hulle kan nie eis dat al die verrigtinge ook in hulle eie taal oorgesit moet word nie. In die reël word Tšwana deur alle vreemdeling burgers goed verstaan, hoewel almal dit nie ewe goed kan praat nie.

(iii) *Behoud van Stam-identiteit*

Behalwe die behoud van hulle taalregte kan vreemdelinge ook hulle stamnaam behou. Hulle is die onderdane en volgelinge van die Tlhaping kaptein maar word nog na verwys as ,, Matebele " of Rolong of wat die geval ook al mag wees. In die geval van burgers, wat afstam van ander Tšwana-stamme, word die oorspronklike stamnaam baie selde gehandhaaf. So beskou persone van Rolong afkoms hulle vandag as Tlhaping en sal 'n onderskeid miskien gemaak word alleen wanneer die persoon spesiaal daarom gevra word.

(iv) *Vestiging volgens eie Gewoontes*

Persone van vreemde oorsprong wat hulle by die stam as 'n groep aangesluit het, word by die Maidi nie toegelaat om as 'n eenhied vir hulle in die stamgebied te vestig nie, maar by die Phuduhutšwana is sulke groepe geregtig om as 'n groep saam te woon op die plek wat vir hulle deur die kaptein aangewys word. As dit 'n groep is wat as 'n eenheid onder die aanvoering van 'n erkende leier van hulle oorspronklike stam af weggebreek het, word hy deur die Phuduhutšwana erken as hul hoofman en is hulle geregtig om onder sy gesag te woon. Vir so ver dit die Phuduhutšwana aangaan geld die vreemde groep as 'n administratiewe eenheid van die stam waarvan hulle lid geword het.

(v) *Plaaslike Administrasie*

Hulle is geregtig om hulle eie sakies van plaaslike belang self te behartig. As daar 'n geskil onder hulle ontstaan, is die hoofman geregtig om dit volgens hulle eie prosedure, gewoonte en wette uit te maak. As die geskil vir hom te moeilik word, kan hy natuurlik die hulp inroep van die distrikshoof, of as hy direk onder die kaptein woon, dan van die kaptein. Teen sy uitsprake kan sy volgelinge natuurlik appèlleer na die hof van die kaptein. In hierdie hof egter moet die prosedure van die Tlhaping gevolg word en Tlhaping-reg moet dan ook toegepas word in die beslegting van die geskil of saak. Die hoofman het natuurlik net soos alle ander onderhoofde van die stam beperkte regsmag; moeilike sake moet in die eerste instansie verwys word na die hof van die kaptein. Die hoofman van so 'n administratiewe eenheid van vreemdelingburgers kan natuurlik ook deur die kaptein benoem word as een van sy raadslede. Verder besit hy al die regte en pligte en voorregte as ander onderhoofde van die stam.

(vi) *Voorbeeld van die Kgatla*

Die geskiedenis van die Kgatla is in hierdie verband 'n goeie illustrasie:

'n Gedeelte van die Kgatla het gedurende die plundertogte van Umzilikazi hul toevlug tot die Tlhaping geneem. Mahure, die waarnemende kaptein, het hulle toegelaat om hul eie stat aan te lê naby die hoofstat van die kaptein. Hy het hulle ook toegelaat om onder hulle eie hoofman, Mashoge, te lewe. Mashoge het later getoon dat hy 'n man met buitengewone begaafdhede was sodat Mankurwane, wat in die tussentyd vir Mahure opgevolg het, hom as een van sy raadslede benoem het en hom aansienlike regte in die administrasie van die Kgatla-statjie vergun het. Mashoge is egter opgevolg deur 'n papbroek wat geen belangstelling getoon het in die welvaart van sy volgelinge nie en ook later van hulle af weggetrek het. 'n Gedeelte van die Kgatla het sedert dien ook begin wegtrek en vandag woon hulle heeltemal verspreid onder die Tlhaping. 'n Klompie van hulle woon egter nog bymekaar en word nog deur die kaptein toegelaat om hul eie sakies onder die leiding van een van hulle te reël, maar hy het teenswoordig geen sitting op die raad van die kaptein nie. Die kaptein stel blykbaar in so 'n geval ook nie een van sy bloedverwante aan as die hoof van so 'n groepie nie soos wat mens sou verwag.

Of die twee soorte van stamlid presies dieselfde status het en of alle regte in die praktyk op 'n 50-50 basis erkenning geniet en toegepas word, is natuurlik nie maklik om te beantwoord nie. Die meerderheid van segsmanne beweer dat geen diskriminasie gemaak word tussen 'n gebore en 'n verworwe stamlid wanneer die twee by voorbeeld in dieselfde hofsaak betrokke is nie, en dat die reg hier toegepas word ongeag op wie dit toegepas word. Sommige segsmanne meen egter dat vreemdeling burgers soms geprejudisieer is, en my eie waarnemings lei my tot 'n soortgelyke gevolgtrekking. Maar dit hang natuurlik in 'n groot mate af van die houding en karakter van die kaptein.

SUMMARY

The nature of membership to the tribe, the conditions under which it may be acquired and the rights, duties and responsibilities attaching to such membership are some of the important aspects of chieftainship as well as of the political organization of the Tlhaping.

Membership to the tribe among the Tlhaping is not dependent upon birth alone and not confined therefore to those who have been born of Tlhaping parents. The political organization of the Tlhaping is of such a nature that it leaves room for any person, be it Bantu, Griqua or Coloured, willing to do so and complying with certain conditions, to become a member of the tribe. Lawful membership to the tribe is therefore dependent upon the recognition of the political authority of the Chief. But the tribe is not always a voluntary association of free persons. In former times when slavery was still a recognised institution among the Tlhaping many men and women and children belonging to relatively primitive tribes such as the Kgalagadi and Sarwa were forced to live under the political hegemony of the Tlhaping. Similarly all prisoners of war whose lives had been spared were obliged to submit to Tlhaping political authority. The tribe among the Tlhaping is therefore composed of various groups of people differing in their origin, economic life, religion, social organization and culture, living in the same area and owing allegiance either voluntarily or otherwise to the authority of an hereditary Chief.

The procedure to be followed when membership to the tribe is voluntarily sought by foreigners depends chiefly upon their number, whether they are a family consisting of husband, wife (or wives) and children or whether they are a section of a foreign tribe consisting of a great number of families, or whether the applicant is only an individual seeking refuge. All applications for membership to the tribe must be made through the recognised channels, and must be approved by the Chief in person who in serious cases consults his councillors upon the character, trustworthiness, bona fides, etc., of the applicants.

The status, rights, duties and responsibilities of the various groups of members of the tribe differ according as to whether their membership has been acquired through birth, through voluntary association or through subjection. The position of slaves among the Tlhaping in former times is summed up by Robert Moffat an eye witness, who reports of their treatment as follows: "to prevent their elopement, when their services are required the following day, they are sometimes hedged into a fold made of hook-thorn bushes, precisely like so many sheep, and there they must pass the night." Again: "They are never permitted to keep cattle, and are exposed to the caprice, cupidity, and tyranny of the town lords, whenever they happen to come in their way. They live a hungry life, being dependent on the chase, wild roots, berries, locusts, and indeed any thing eatable that comes within their reach; and when they have a more than usual supply, they will bury it in the earth, from their superiors, who are in the habit of taking what they please. Resistance on their part would be instantly avenged with the deadly javelin." Indeed, as Theal says: "They were in the most miserable condition to which human beings can be reduced, they could not even own a jackal's skin, and their lives were regarded by their tyrants as of no more value than the lives of dogs."

The position of other groups of foreign origin in the tribe is naturally much more favourable. They are allowed to live among the Tlhaping according to their own customs and are even allowed to practise their own laws and ceremonies in as much as these are not opposed to the interests and laws of the Tlhaping themselves. Theoretically they have equal rights before the law of the tribe on the same basis as own members, but in practice, as is common in all primitive tribes, the tendency is to discriminate in favour of the latter.

On the other hand membership to the tribe may be lost either voluntarily when a man changes his allegiance from one chief to another, or involuntarily when a man is punished by an order of banishment from tribal territory by the chief's court.

In modern times since slavery has been abolished and the powers of the Chief have been diminished and curtailed, the various groups of the tribe, including own members, have enjoyed more freedom and independence from the Chief's authority but whether this has on the whole been to their benefit or to the benefit of the Chief himself or to that of the tribe is a very doubtful question.

ORAL LITERATURE IN LUBALAND

By W. F. P. BURTON

Until recently Congo Natives had no books or writing. Even now practically all their books have been introduced by Europeans. Thus they do not represent the best and purest in Native languages. The language student who wishes to get authentic indigenous expression is therefore forced to seek classic examples in other fields, and specially in that of oral literature.

THE VARIOUS CATEGORIES OF TRADITIONAL SPEECH

The wise sayings, descriptions and songs which have taken the strongest hold on imagination, and become frozen into oft-repeated sentences, etc., may be roughly classified as follows :—

(a) **That which is spoken or recited :**

Kubanga manga : The recitation of stories, and specially of past history. This is generally the province of certain *balute* (men of memory), who often repeat local origins, wars, etc., until they can go over their repertoire for an hour or more, almost word for word.

Kufumika mfumo : The telling of fables, parables and animal stories. This is often, though not exclusively, the sphere of the *bamfumu*, certain village counsellors.

Kuela nkindji, kuela miele : To speak in proverbs and wise sayings. These are best heard in the village gatherings and law-courts, though some adepts speak almost entirely in such hidden sayings, which, to the uninitiated, sound like a jumble of nonsense.

Kutyintyika ntyintyi : To propound riddles.

Kudyingila madyingi : To give rules of life and conduct.

Kulaa milao : To give general instructions and orders. We have heard the master-of-ceremonies giving orders for the conduct of a big hunt, in almost the same phrases and expressions for the last twenty years, and they say that these rules were in use by his father before him.

Kudyumuna bidyimu : To give safeguard instructions and warnings re dangerous animals, poisons, etc.

Kutotu mitoto : To instruct for a new office : coming out of the initiation camp, marriage, counsellorship or chieftainship.

Kulumbakanya lulumbi : To reel off a geographical description after the name of a place.

Kusasula : To add a descriptive phrase or sentence to a name.

(b) **That which is sung :**

Kwimba nyimbo : To sing any sort of song, including boat songs, journey songs, songs by the women as they pound their flour, topical songs recording prominent items of news, etc.

Kwana nano : Animal stories, equivalent to *mfumo*, but in song. The young women have charming stories in which one tells a piece of the theme, and then all join in completing it by a few lines of song. A long story will thus occupy as much as forty minutes and will contain twenty little ditties, sung by the listeners at appropriate places.

Ngwaya : Dancing songs.

Mbwela : Hunting songs accompanied by the drum.

Kukila lukilo : To sing in choir. Groups of young women often gather for an evening's singing in sheer happiness. The *lukilo* is forbidden in a village while mourning for the dead is in progress.

The above classification is only a general one, for these are many cases where such categories merge.

LULUMBI : CHIEFLY DESCRIPTIVE OF PLACES

The expression *lulumbi ilumo lwetu* (our geographical description is one) is equivalent to saying

" We are fellow-townsmen." Generally the *lulumbi* singles out the most important, or distinguishing features of a place ; e.g.

Mwanza lulu tele biya. Kuboko kwakata Kilenge. Kulu kwakela Kanshimba. (Mwanza Hill, well extended. The arm reaches to Kilenge. The foot goes as far as Kanshimba).

Mwenze wasono yamobo. Kakungwa wadima dyakubumba. (Said of two adjacent streams : Mwenze for thatching grass. Kakungwa for potting clay).

Such little couplets are known by thousands. It is safe to say that not only every village, hill and stream, but every patch of forest, every knoll and mass of rocks has its name and description. This *lulumbi* is so generally used that it trickles from the lips almost unconsciously, whenever the place is mentioned.

At times it is merely the joining of adjacent names, e.g., *Waba-Kasebansamba neKakaya neKitwa-Ilunga Mukala.* These are three villages forming a clan-group. As often as not the mention of one calls forth the whole *lulumbi.*

The names themselves are often descriptive : *Mwinetwitendele mpole. Tudi baKabeya neKinyuwamakanga, nemokondo kwinyunga. Kabeya* and *Kinyuwa* are two streams. *Kwitendela mpole* is " to cut the hair." The name is given to a bare, treeless hill, all the more noticeable since " the *mikondo* trees wave " in the valley all round. The *lulumbi* is equivalent to " The bare-headed hill, where those two streams rise and the *mikondo* trees wave."

Some of these epithets are boastful and threatening, evidently adopted as a warning to enemies :

Lombakankungwa ko bavwala bitungu (*Lombakankungwa*, where they put on fighting plumes). The feathers of the horned owl, *kitungunsengo*, are only worn in war.

Tuba-Katanta, mwine-Katengwe neKimisundu, Kamba neNkonji. Fumbwe ufita kaswe muketo. Obamwashile walenga lunwa. (Tuba and its four streams. A black sable-antelope which cannot be shot with an arrow. When they shoot him he makes a row). Here Tuba is likened to an old bull sable, traditionally tough and ready to attack. Nobody thinks of taking the meat of an old bull sable as tribute to a chief. He would be rebuked for trying to introduce contention and death into the royal enclosure.

Sometimes an outstanding item of history is the theme of the *lulumbi.* Thus a wild pig at Kabaiwe was shot repeatedly by poisoned arrows, but for years he evaded the hunters. The story is many years old, but they still say, *Kibayele neKabaiwe, mwatandile ngulube bulembe.* (Kibayele and Kabaiwe, where the wild pig escaped from arrow-poison).

Even important fruit-trees have their individual name and *lulumbi.* Especially is this the case with the wild olives, which grow to an immense size and give prodigious quantities of fruit : *Munshi Kivunda neKitanda, Kangulube neKayembe* (Downstream are the above-mentioned four trees). The individual olive-trees vary much in the flavour of their fruit, and each tree is recognised. Thus they say of our local trees ; *Kilengalele nembwala. Kimatama nelulundu. Kangulungu nenkunde* (The fruit from Kilengalele is best eaten with sweet potatoes, that from Kimatama with manioc and that from Kangulungu with beans).

KUSASULA : DESCRIPTIVE OF PEOPLE AND THINGS

As the geographical landmarks are described by well-worn phrase, so every tree, person and animal has an appropriate couplet ; but, whereas those of local geography are not usually known far from the place itself, many descriptions of animals, people and things are the same, and equally well-known, from end to end of the country.

Of the trees :

Impinyi idiko. Kitumbile mulolo (There are many handles—among the forest trees—but the most renowned is that of the wild custard-apple). The wood does not split readily, and it is a favourite for hoe- and axe-handles.

(*Danjie walubungatoni Danjie*, for gathering birds). It is one of the trees from which they extract bird-lime. One is tempted to linger on *lubungatoni*, a picturesque expression, " The long gathering of tiny birds." *Umbanga mukomo. Utyumuna tusolwa.* (*Umbanga* the strong. It breaks axes).

Nyandwe namakala momu, nakoshya bilonda (*Nyandwe* with dry charcoal, for heating iron). *Nyandwe* is the blacksmiths' favourite, for use in their smelting-furnaces and forges.

Of the animals :

Kinswi mukonge, mwandji mwaMbayo, wakadila muntanda. Wivwana mukonge kolumba kubantu (Green-parrot, child of Mbayo, doesn't call in the forest. When you hear the parrot you are near to people). Because the green-parrot feeds on mealies and olives, its cry is an evidence that a village is not far away.

Nge kalandala mabo (Leopard, the great climber over shields), referring to its agility in attack.

Ntambo Kibwende kadiladila. Adile udya. (The lion *Kibwende* does not roar for nothing. When he roars he devours). *Kibwende* is an extra name added for safety to that of lion, *ntambo.* In the proximity of dangerous animals one is not supposed to mention their name, lest they should hear it and come. Thus one would be considered rash to talk of crocodiles while in a canoe. Similarly, in the forest one would not speak of *ntambo*, but of " him who is to be feared," or of *Kibwende.*

Another descriptive couplet for lion is : *Kalongo wafwilwa shandji. Kekudi mwan'amuntu anange* (*Kalongo* bereaved of his father. Let no son of man go walking). In other words *Kalongo* is in a rage so keep in your huts.

God is described in many ways, some of which show a remarkable knowledge of His attributes, seeing they were in use long before the missionary came :

Shakapanga, wakupanga nekupangulula (The Father of creation, Who creates and recreates). *Leza waba, Kibuntubuntu, Wapele nebapityeshinda.* (The God Who shares out, the great Giver Who gives even to the strangers who pass along the road).

Bumbilebumbo. Leza mukata kyabumbile bantu, nepano Ukibwejyu (The Moulder, God the great, Who forms men, and even now He continues to do it).

Vidye kamonwe meso, longa naMwimuka kyo nswa (The Spirit unseen by eyes, otherwise I would let Him know what I want). *Kongolo Mwine-bisaka, Katende Mwine-dyulu* (The Rainbow, Lord of the earth, the peaceful One Lord of the heavens). *Bisaka*, literally " the races, the clans."

Bundangulu, Wabunda netupatapata netwana twangulu (The Heaper-together of the hills, He also heaped up the hillocks and mounds).

Kimonyamalwa. (The great Sufferer).

Every adult person has some form of *kusasula* attached to his name, and it is by this means that he is called on the drum. For instance there are many people named *Shimbi*, but when one is called *Shimbi wakumwayamwaya, mwaya mululu nemwaya mudibwe*, it distinguishes him. He lives " near the *mwaya* trees, of which some are bitter and some edible."

Sometimes one used to hear a man spending the whole evening, amusing himself by rapping out his names and ancestry on the signal-drum, but this seems to have died out of late. As an example : " Don't you know who I am ? I am *Mudyavita, Mwan'aKajingu Mukutuminda, shadj'yampupo, mpupo yonso imyanuke* (The leader of the army, son of Kajingu the Tornado, father of calamities, all other catastrophies are children—in comparison).

The months of the year are described as follows *Kaswamanga mukulu wamakweji.* October, " the father of months," since it seems natural to count the months from the commencement of the rains. *Kuswa mukata.* The time of " the big white-ants." *Kuswa kwamvula, Kiongwe kyamulanga* " If November is wet December will be dry."

Kiongwe kiongolanga badimi. December, " the cheater deceives the cultivators," since if it looks fine, it will rain, but when the sky is overcast, often the rain does not fall.

Lwishi mundu, kyaladikile mudimi nanzala. Wampotyi wadya. January, " the misty month awakens the cultivator with hunger. Only he who can buy (food) has enough to eat."

Puji Mitobo. February, " Driver ants and wading." *Wakutobutoba nemema nempaji.* "Wading in water and driver ants."

Salala Lenge. Kweji wadimwa nkunde, twasengela twabundea. March, the streaming month, wettest of the year. "The beans are planted. We take out the weeds and mound up the earth."

Tupopo-Ndolo, walujikamashinda. Umba walupupakanya biombo. "April the stopper of the paths. *Umba* who makes the grass foolish."

Necromancers taken by the spirit of *Umba* often say they can only prophesy out-of-doors, and they have a habit of snatching at the ends of the grass when under a spiritual afflatus. April is the month when the grass goes to seed, and, breaking with the weight, becomes tangled across the paths.

Kashikonkendya Kilemba. Mashika mfwile nzala mfwa. May, the month "of the little cold. I'm dying of cold and hunger." The kafir-corn etc., are not yet harvested. May is also called *Mukalo wabubidi, mukendya kishipo, mukalo waboyu.* "The double boundary, messenger of the dry season and limit of the wet season."

Nshiko mukata, upwa nzala kapu mashika. June "the great cold; though hunger is finished (on account of completed harvests), the cold is not finished."

Kainyainya makumbi, nkungwa mishimpo. July "the cloudy month, when the drumsticks are on the *mukungwa* trees." This refers to seed-pods which hang like drumsticks from these trees, as soon as the fleecy clouds appear. They have a special significance to the Luba, as denoting the time to transplant palms and other trees.

Mwinya mukata mvula kalungelunge. "The strong daylight, with approaching rains." One generally hears the first thunder in August.

Mbula muswa, the nameless month between August and September, for of course the Luba, going by moons instead of calendar, has thirteen months to the year. The name indicates that there are "few white-ants" active this month.

Kulungwe, lumijyangalaba. September, "when the *Lualaba* River is drying up." This river is at its lowest just before the rains.

By means of these descriptions the Luba child learns an incalculable amount of nature-lore, and it slips as easily from his lips as "Pussy-cat, pussy-cat where have you been?" or "A frog he would a wooing go" does from the lips of the average English child.

THE UNIFORM OF COLOUR IN SWAZILAND

By HILDA KUPER

Throughout South Africa colour has become the primary index of status in all activities. A small self-conscious White community possessed of the technology of a great mechanical age, lives in vital dependence on the labour of a Black subject people.

To treat Europeans and Non-Europeans[1] as isolated units is legitimate only in sociological analysis. As time goes on, the bonds between the groups increase and even the most prejudiced will have to admit their interdependence. Whites and Blacks and Coloureds are too closely interlocked for the cry of either "a White South Africa" or "Africa for the Africans" to be realised. Even in Swaziland, where Native life has been less affected than in the Union of South Africa, the culture of the Swazi has many features of western European behaviour and belief, interpreted according to traditional Swazi values.

The Swazi, like other nations of the vast Bantu-speaking peoples,[2] appear to possess tremendous strength to resist, to multiply and even to flourish. Unlike other primitives in Australia and America, they have not disappeared before the White man; they have withstood wars, drought, dispossession and disease; they have imitated and absorbed new behaviour and beliefs. Segregation has become a politician's delusion, denied by the sight of Natives in mines and factories, on European farms and in European homes, denied by the shirt and the blanket in the huts of the Native reserves.

Interdependence does not mean similarity nor equality of the parts which constitute the whole. Nor does it mean harmony between them. In western European society the culture of the working class is in many ways different from the culture of the professional and leisured upper class. In South Africa difference of class is accentuated by difference of colour, culture and active tradition. And in the tiny Swaziland Protectorate where economic classes are scarcely developed, co-operation and conflict are expressed in terms of colour.

1. The Colour Composition

The total population of Swaziland in the last census of 1936[1]. numbered 156,715, of whom 2,740 were Europeans, 153,270 were Bantu and 705 were Coloureds.

The uniform of colour unites each group despite varying degrees of in-group heterogeneity. Within the European group in particular there are marked differences of origin, language, belief, occupation and interest.

White Swazilanders come from many lands: 1022, roughly 37 per cent of the population, are second generation Swazilanders; 1262, approximately 46 per cent were born in other British possessions in Africa; 224 come from British possessions in Europe, and the remainder from other parts of Europe, from Asia, America and Australia. In 1938 Hitlerism drove into the Protectorate some 70 German Jewish refugees, the largest number of White immigrants at any one time.[2]

There is no uniformity of language; while English is the official language, 46 per cent of the population speaks English and Afrikaans, 19 per cent speaks English only, 29 per cent Afrikaans only, one per cent speaks neither English nor

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[1] I use the term to cover Africans and Coloureds. Africans, Natives, Bantu and Blacks are synonymous in this article. I talk of Europeans as Europeans or as Whites. Coloureds, or Eur-Africans, are the result of miscegenation between Africans and Europeans and also between Coloureds and Africans or Europeans, as well as of unions within the Coloured group itself.

[2] For an analysis of the growth of the Swazi nation see my article "The development of a primitive nation," *Bantu Studies*, Vol. XV, pp. 339-368.

[1] Since these are the most accurate figures, I use them rather than later estimates. Moreover, my field-work, subsidised by the Internationl Institute of African Languages and Cultures, covered the period 1934-1936. Subsequent figures are also taken from the census unless otherwise stated.

[2] Most are on temporary permits.

Afrikaans, and the language of the remaining population is unspecified.[1]

They worship in many churches : some 50 per cent of the population belongs to the Nederduitse Gereformeerde Kerk, the Hervormde Kerk and the Gereformeerde Kerk—three South African churches that have strong views on on the Natives.

They are employed in many occupations : 24 per cent in agriculture, 1 per cent in mining, 3 per cent in industrial pursuits (textile, metal, baking, building etc.), 7 per cent in "professional service" (administrative, mission etc.), 5 per cent in commerce, 23 per cent are housewives and the remainder are engaged in miscellaneous occupations or are junior dependents.

Within the heterogeneous group conflict is frequent. It does not take the direction of class conflict ; most of the men are engaged in independent agriculture and the remainder belong to the petite bourgeoisie of industry.

The line of cleavage within the White group runs firstly between the two major national units, Boer and British, whose antagonism is rooted in the history of South Africa and persists in the distinction in language, religion and political loyalty. Secondly, there is friction on economic or political issues between interest groups. Thus, farmers dispute with miners who offer their recruits facilities beyond the limits that agriculture can afford, or, again, settlers criticise government for "pro-Native" concessions. Finally, there is often hostility and competition within the same interest group—between different sects of the church, or different trading companies.

The Natives are predominantly Protectorate born. All speak Swazi or Zulu, the official Bantu language, and many have a smattering of English and Afrikaans. The traditional religion, the ancestral cult, is still accepted by over 70 per cent but the number of converts to one or other of the numerous Christian sects is steadily increasing. While practically every Swazi in the Protectorate is a peasant in outlook, approximately 40 per cent of adult males are annually absent at work outside the Protectorate, and a further 15 per cent are employed by Europeans within the Protectorate. A few teachers, preachers, traders and artisans are independent of the land for their subsistence.

In conservative Swazi society, the main stratification is by birth, and members of the hereditary aristocracy hold privileged positions in politics, the ancestral cult, and the traditional economy. Nowadays conflict occurs between conservative leaders and ambitious subjects, between uneducated and educated, and between converted and orthodox.

The Coloured population[1] includes 133 people from other parts of Africa, more particularly from the Cape (26), Natal (34) and the Transvaal (28). Immigration has decreased in recent years, and emigration to the Union, more particularly of lighter skinned Coloured individuals, has begun.

On the whole, the Coloured section is less heterogeneous than the White, and more heterogeneous than the Black. Over 98 per cent profess Christianity ; only 18 Coloured individuals belong to the three churches which represent the majority of European Swazilanders. Grades of education and wealth vary considerably : a few Coloureds have passed standard six, others are completely illiterate ; some speak fluent English or Afrikaans, and others know only a Bantu mother-tongue ; a few have learnt trades, serve in shops, own large farms, but the majority fall into the class of labourers and peasants.

The Coloured form a less clearly defined community than either Whites or Blacks, and in this paper I am concerned with them only in so far as they illustrate the grading of people of the two "pure stocks" on the basis of colour. A certain amount of "crossing over" takes place from Coloureds to Europeans, but the myth of inequality as well as of difference remains unchallenged. Membership of one colour group automatically excludes membership of either of the other colour groups. The few Coloureds who "pass" into the White group, aim at assimilating the *mores* of the new group including its exclusiveness.

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[1] The census figures do not include the German Jewish refugees ; they are all learning English and some are also learning Afrikaans.

[1] Actually the Coloured population is 701, the remaining four are Asiatics, but in most of the statistics the Asiatics are included as Coloureds.

2. The White Man's Myth of the Black Man

The emphasis on colour appears in racial myths. In recent years Nazism has extended, made more formal, more conscious, the nature of race mythology, but the underlying concept has its roots deep in human history, and has led from early times to executions, pogroms, economic starvation and bloody crusades.[1]

When, in the nineteenth century, Europeans entered Mswati's land, they already held the belief that Black men were inferior to White men. The doctrine of racial superiority was drawn from the Bible, and was confirmed and reinforced by the layman's interpretation of Darwin's theory of evolution.

Tales told by White Swazilanders about the Black men stress two main features : firstly, their inherent inferority and inability to acquire the White man's culture, and secondly, their uncontrolled emotional, or barbaric, nature. I collected a number of anecdotes from Europeans of all groups related to me to illustrate Swazi " racial characteristics." " Swazi are just like children " was a favourite opening ; I was looked at askance when I asked the Europeans if their own children were like Swazi. The statements are simple and naive : " Natives can imitate but can't think for themselves ; " " all Natives have such happy natures ; nothing worries them." To illustrate the inherent inferiority, stories such as the following were recounted :

(1) " I receive the most ridiculous letters from boys asking me if I can employ them as clerks. Some have passed Standard VI, and yet can hardly write English. They try to be very impressive. One began " Aged Father," and another " Adorable Sir." Those boys whom I have at present are quite good, but I have to supervise everything they do. They haven't the brains of Europeans. It will take thousands of years before they reach our level."

(2) " They don't know the meaning of gratitude. I helped M. whenever he was in trouble, looked after his wife when she was sick, gave him clothes for his children and then he stole my husband's wallet."

(3) " I think they are pretty stupid. More stupid than we are, at any rate. I suppose it must be baffling to come suddenly into a European house and not know what to do, but they don't seem able to *think*. L. always puts the cloth on the wrong way, no matter how often I show her, and twice she left the kettle on without any water.

(4) " I think they are wonderful people, always talking and laughing. They only worry about food, drink and sex. Of course, they can't think about things as we can."

Stories of the " barbaric " nature of the African are frequent. A leading citizen and member of the Advisory Council stated that " Natives should not be given criminal jurisdiction because they love to see people hurt. That is their nature. It will take hundreds of years to change it. The other day going to Mbabane I saw one of the Queen Mother's messengers whipping a young girl. I told him to stop at once, and gave him hell. It seems that the kid had stolen a pumpkin from the Indlovukati's hut."

I was often warned of uncontrollable passions, inexplicable moodiness, blood-curdling cases were described to me with lurid detail. These need not be repeated ; they can be paralelled in the yellow press of any country. Occasional theft with violence, occasional murders, and very occasional rape, were used to characterise the whole nation. I have no figures to show if cases of " brutality " occur more frequently in countries where the inhabitants belong to two distinct cultures than in homogeneous areas. It may well be that if one section is subservient to the other and is not safeguarded and secure, and is hostile to the master group, that its members will more often take the law into its own hands. This would not be a specific " race " characteristic, but a reaction induced by discrimination and frustration.

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[1] The scientific study of race is the field of the physical anthropologist and geneticist who study the inheritance of physical characteristics. Their classifications of races are based on recognised measurements of height etc., blood tests, and other criteria. Culture is distinct from race; unfortunately this distinction is frequently ignored. In this paper I use the term " race " as a social concept.

It is not unusual to be told a touching story of the noble savage of pioneer days, generous, law-abiding, healthy and happy, and a few minutes later to be harrowed by a tale of his lust and cruelty. The stories are rarely purely descriptive, they point a moral, illustrate a judgment, and above all, they stress the conviction that the two "races" should be kept distinct, and the desire that the "superior race" be secured in its domination.

Examples could be multiplied indefinitely; they are used to illustrate not the character of a particular individual nor the nature of a particular relationship, but the innate psychological characteristics of "the Native." The citation of an individual case is used to characterise the "race."

Illogicalities and inconsistencies are common to popular thought on controversial issues. A European who loved dogs treated his Swazi labourers particularly badly. He was convinced that he was a fine fellow and roundly condemned the Swazi as "cruel savages" because they did not look properly after their dogs.

Individual Natives who do not conform to the White man's stereotype of the Black man are considered exceptions that do not prove any rule; it is the old story of a few "pet Jews" or tame lions.

But the exceptions must be controlled, for side by side with the tales of inferiority is the fear, legalised as well as verbalised, that the Natives may acquire the techniques of the White man and oust him from his position of superiority. The White man is not prepared to share with other colour groups his monopoly of skill and of knowledge by which, in the first place, he achieved his superiority.

The student is able to watch with scientific detachment the struggles and the hopes and the fears of the settlers, the crimes and blunders perpetrated by them in their fight against social and economic forces stronger than themselves, which threaten to lose for their children the advantages acquired on the basis of an initial cultural, but unproved racial, superiority. Because of this fear there is an outcry against Native development, Native education, Native equality. The myths of Native inferiority and brutality are the moral supports for oppression and exclusion.[1]

3. The Black Man's Myth of the White Man

The association of inferiority with "race" was a concept introduced among the Swazi by the European. It was not that they had been isolated from contact with other physical types before the Europeans arrived. Swazi describe with a mixture of amusement and contempt the tiny, odd-shaped bodies of the Bushmen (*tiqu*—dwarfs) they found living in parts of the country on their arrival, but they did not associate physical traits with inherent cultural limitations. Bushmen were absorbed by the Bantu, they left their mark in the language and in the culture. Before the Bushmen, inter-marriage with other peoples had taken place, though in a past that is no longer remembered.

Shades of pigmentation in the nation evoke, in the same way as height and features, aesthetic appraisal, not social discrimination. The colour of the Swazi skin varies from deep brown to the gold of honey, and the features of some Swazi are exquisitely chiselled and delicate, and of others coarse and heavy. Standards of beauty change; since the reign of Mbandzeni the light skinned are admired, but I am told that before, dark skins were considered more beautiful.

The White men who first entered the country were a strange species (*lolunye luhlobo*) and with them came a distinction that overrode the variations within the nation. Colour set Swazi apart from European, it was made greater than the similarity of age, sex, belief, or occupation.

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[1] The attitude towards a Native attaining a higher education was brought out when Abner Nkosi, a teacher, succeeded by correspondence courses in passing his B.A. and wanted to further his studies overseas. For this money was required, and a Committee was formed to obtain help from various individuals and organisations. Some considered "his education more than enough for a Swazi," others asked "what shall we do with a man so high?" From the majority of Europeans to whom I and others spoke, there was definite discouragement on the grounds that "he would get above himself," that "Kafirs must not be too civilised," that "raw Natives are better workers," that he would put "queer ideas" into the heads of the people, or "create trouble." Very few were prepared to assist, and one of them admitted: "Well, it can't do any harm to educate one or two, but we mustn't encourage too many. We must keep them in their place." Abner Nkosi finally received assistance, and passed his M.A., (Yale).

Swazi accept domination by the Europeans, but usually reject their myth of "racial superiority." A few Swazi regret their (often idealised) past and try to revive national customs, but most Swazi feel that the European has come to stay, and there is no organised anti-European movement. Hostility exists, however, with the acceptance of domination, and is expressed in isolated situations, but because the situations of contact are numerous and variable, hostility is not consistent nor constantly borne in mind. It may be directed against an administrator, miner, missionary, farmer, or against a specific activity, or even against the traditional Native leaders because of their relationship with the Europeans.

Swazi have developed their own myths to account for racial difference. A very few have taken over the Biblical damnation of the sons of Ham, or recount the following type of tale :—

> The Great Great Father created the birds of the air and the beasts of the field and saw it was good. " Now," he said, " I must create man." He made him in the rushing winds, and when he looked he was not pleased with his work. Man was black and he was not beautiful. He then created the second man, and he was black, tall and shiny, and the second man loitered by the wayside until he sank down upon the earth. His skin swelled and became wrinkled and then it broke. And when the second man shed his skin, there appeared a new skin, white and shining, and the second man was full of beauty and strength. The Great One said: " O second man ! My work is good ! I will give you all power and all wisdom, and you shall be greater than the first man." So it is then that there are Black and White people.

The majority of stories do not describe the European as " full of beauty and strength," but as a creature different and suspect.

Swazi, like the European, have developed a stereotype, and they react to the stereotype and not to the individual. Swazi often say that all Europeans look alike ; a sophisticated informant once remarked " Even I take some time to learn the appearance of a European. Look. I worked for S. for four years, but when I try to recall him, I only see white faces."

The stereotype is essentially different from themselves ; it is more skilful but less kind, more powerful but less generous. In other words, the Swazi acknowledge the superior skills of the European but not the superior quality of his human kindness (*uɓuntfu*). His skill is described as part of the White man, not as the culmination of years of experiment and toil. Just as the Swazi do not speculate about the origin of the hoe but accept it as their heritage, so they regard cars, " flying machines," electric lights, books, as the " White man's wonders " (*imihlolo yaɓelungu*). This is why Swazi often express themselves with an accommodating humility. " We are but children and know nothing," " Have patience, Nkosi, we are fools," are common remarks made at meetings with officials. A chief wrote in the *Times of Swaziland* of his people's " lack of logical powers, owing to inferiority of mental capacities." Some of these statements are merely diplomacy, but the tendency is to stress the cleverness of the European in relation to themselves.

Hand in hand with this attitude expressed in terms of admiration mixed with fear, is suspicion of, and sometimes contempt for, the human side of the European. Swazi do not seem to weary of telling of acts of cruelty and cunning, dating from the first years of contact ; it 's interesting to compare these tales with the Europeans' version of the same period with the stress on Native witch-craft and savagery.

Swazi parents terrify children with stories of the White bogeyman. Frequently when a baby cried and I was in the hut, it was threatened " Quiet, or the White one will take you." When I mentioned to Sobhusa how painful it was to me, he replied : " You must expect this. They see you as a European (*umlungu*) until you prove yourself to be a person (*umuntfu*)."

A few stories characterise the Europeans as greedy for cheap workers irrespective of the cost of life and happiness. I heard many legends of Europeans kidnapping little boys and taking them far away to work for them. As a result, when travellers stop their cars in isolated areas to ask herdboys the way, these often scurry off in terror and hide in the grass. The legends have their bases in actual episodes of the pioneering days. From North to South I pursued the elusive Mandatana, the European wizard who was reputed to kill men, and then enslave their shrunken bodies. Other stories tell of European greed, meanness and lack of hospitality. They describe things experienced and imagined. Facts are often distorted to fit accepted myths. Thus men made the statement that European officials shot Native cattle when they strayed into a proclaimed area, and merely impounded the herds of White farmers. But when closely questioned, they were unable to support the allegation. Europeans are accused of victimisation, though to an impartial observer they acted with sympathy and justice. A gift, even when it is graciously accepted, is often suspected to be a bribe. Because of the depth of their suspicion, Swazi are slow to adopt new ideas sponsored by the European.

The myth is accentuated and not destroyed by the fact that within the White group Swazi recognise minor sub-divisions : a man is a White, then he is an Englishman, Boer, Jew, or German ; or he is an official, farmer, trader, or missionary. With these distinctions go emotive generalisations : the English are " people with law ; " " the Jews are with money ; " "the Boers hate Black people ; " and so on. But these are not important differences in face of colour unity ; in fact they serve to stress the fundamental alliance of colour. " White people join together, like a husband who will hit a stranger who tries to help him beat his wife."

A Swazi educated at Lovedale wrote the following rules of Black-White behaviour :--

(1) The first thing to remember always is that we do not know the hearts of Europeans.

(2) Show respect ; if necessary, agree to lies.

(3) Never forget to fear the White, for if you fear him, you will be ready when he deceives you.

(4) Listen carefully to what he says and watch what he does, and you will learn a lot.

(5) Most Europeans and most Natives deceive but no European can feel the pain of a Native.

(6) Europeans hate us and show us no respect.

He ended, " I may be wrong. I agree that I do not understand Europeans."

4. The Maintenance of Myths

The myth of race superiority is maintained largely through the political and economic organisations of the Protectorate. Europeans are entrenched in a dominant position by legislation.

" The power of the British Crown in legislation is absolute."[1] Laws are issued as Orders-in-Council or as proclamations by the High Commissioner and are executed by local European administrators. By an Order-in-Council of 1903 the traditional laws were " to be respected " except in so far as they " may be incompatible with the due exercise of His Majesty's power and jurisdiction or clearly injurious to the welfare of the said Natives." The present Swazi chiefs retain limited civil jurisdiction and no criminal jurisdiction. They exercise authority over their own people residing in a Native Area (one-third of the Protectorate), less power over Natives living on European-owned land (approximately two-thirds) and no authority over Europeans.

Economic development is directed by the Government which legislates for revenue and determines expenditure. Revenue is derived primarily from the Natives who, for example in 1938, an average year, contributed £46,328 in direct taxation towards the total ordinary revenue of £119,856. Roughly one-half of the revenue is devoted to salaries ; Europeans hold the better paid and more responsible positions. The paramount chief receives a special allowance of £1,000 per annum.[2] Swaziland's development is determined by enterprises of Europeans within and outside the Protectorate.

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[1] Hailey, *An African Survey*, p. 272.

[2] This over-simplified account is sufficient for my purpose in this article. A full analysis of political and economic effects of European administration will appear shortly. For further reference, see my article *Bantu Studies*, Vol. XV, pp. 355-368.

The Native peasant has no skill to sell and little knowledge to impart. He is a farmer without tractor or harrow, a builder without bricks or glass. The Europeans, on the other hand, have many articles and techniques that the Natives desire or fear. Every shop that opens in a district contains goods that are initially strange but gradually become part of the culture of the people.[1]

Europeans consider their material achievements proof of innate superiority and do not realise how little is contributed by the average individual, and how much by contact, accident, and cultural pattern.

The levels that are important in Swazi social organisation are defined by birth; within the White community the main distinctions are based on wealth. However, the average European Swazilander is not a very wealthy man, and the European cliques depend largely on occupation, educational level and social background. At the same time, the poorest Europeans fall into the category of unwanted "Poor Whites" and are often classed by more fortunate Europeans with the Natives. Thus in 1933 a member of the Advisory Council asked that "immigration be restricted to protect the country from Poor Whites, European men with Native wives and undesirable Natives."

The poorest Europeans have the lowest status within their own colour group, but they retain certain status privileges of the dominant colour group even when they are depressed below the cultural and economic level of the Natives. There are many Poor Whites in the country, especially in the south. Some are bywoners, others own small farms. They include men abject in their poverty, lacking in initiative, and dependent for occasional assistance on the Natives among whom they live. Most of them have been in Swaziland many years, forgotten, uneducated, backward and slothful. An agricultural officer told me that it was more difficult to develop them than the Natives; an educationalist said he did not know how to deal with their children—undernourished waifs living in darkness in overcrowded hovels under the bright South African sun.[1]

But the Poor Whites can still point to the "inferiority" of Poor Blacks—the Natives whose economic conditions are not necessarily worse, but who suffer additional legal and social disabilities because they are "Black." Poor Blacks are Africans whose homes are on European land, who have no security of tenure, no freedom of movement. Roughly 15,000 Swazi, unable to obtain adequate land in Native Area live on European owned land (Farm land or Crown land) in the Protectorate. In return for a site on which to build a homestead, a plot to cultivate and permission to graze a limited number of cattle, a European farmer may demand, for whatever work-purposes he requires, the service of the tenant and his family. The conditions vary extensively from farm to farm—sometimes the tenant buys exemption from labour by a cash payment, sometimes labour is supplied for six months by each adult in turn, sometimes more than one member serves for periods ranging from three months to a year. Payment for labour is nominal; it may be a jacket for the herd-boy, the tax for the headman, a portion of the crop or a few shillings a month. Natives accept these conditions, more like those of a serf than of a free man, because of their hunger for land; they receive no right to acquire that land, no matter how hard they work or how long they stay. At the whim of the farmer, the tenant and his family can be removed.

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[1] As early as 1889 Wallerstein and Bremer gave the following list of articles stocked in their shop: Unbleached calico, white calico, white towels, red handkerchiefs, blue handkerchiefs, blue and white print, dark blue salempore, striped salempore, cotten sheets, shirts, old military overcoats and tunics, rugs and other wool blankets, shawls, picks or hoes, tin billies, zinc round mirrors and zinc spoons (which are a great fancy article), pocket and butcher knives, leather belts or strops, "hats (common large felt) have found a good market here." Miscellaneous: Martini Henry guns and cartridges, fancy bangles, wire in steel and copper, ploughs, game traps, hatchets and axes, sickles, candles, matches, salt, sulphur, sugar and many other articles used by Europeans have found their way in the last two years into Swazi households. "Only good quality rugs and blankets take the fancy of the Swazi Natives. They are also very particular in choosing colours. Rugs and blankets sold to the Zulus or Thongas would be quite unsaleable to the Swazi."—Blue Books on Swaziland; Report on Swaziland C.—6201. Annexure C. pp. 23-24.

[1] There is one family I cannot forget; their two-roomed house was of woven rushes with no proper ceiling, and a floor of pounded earth and crumbling cattle dung. Through a small window without a pane the sun trickled on to the meagre home-made furnishing. The woman was prematurely old; of eight children, four were living. Her man came in, thin and hungry and without speech. The children watched me quietly without interest. It was not the poverty that made its imprint on me—that I had seen in many Native homes—it was the atmosphere of still birth, of abortive fecundity.

The Poor Blacks are not the Swazi living in Native Areas, for there, despite overcrowding, poor production, backwardness in many activities, there is *ɓudvodza* (manhood), membership of national enterprise, participation in local councils, freedom to move to the town to seek work when and how one pleases, and to return home to the land to rest. In Native Areas the attachment of the people to the soil and to their own culture mitigates conflict rooted in discrimination and exclusion.

But the majority of Swazi are unable to support themselves with their primitive technology in Native Areas. Their poverty drives them to seek work for Europeans within and outside the Protectorate. Roughly 6,000 Swazi are employed annually in the Protectorate at wages ranging from 10s. per month with food and quarters to £3 per month net. A few earn up to £10 and a couple earn more. But the principle is that the Natives be paid low wages, since it is assumed that they have a low standard of living. Even when they perform the same type of work as the European their skin colour binds them to a lower scale of pay. Poverty in the Natives is not condemned; it is usually considered natural. But poverty among Europeans is regarded as wrong and unnatural. Differential pay is an indirect subsidy to the poorer, unskilled Europeans, and a weapon against the rise of well-paid skilled Natives.

The economic backing of racialism is even clearer if we examine the position of the Swazi who are annually employed outside the Protectorate. The figures for 1938 are as follows :[1]

Swazi employed in Witwatersrand Gold Mines	8,030
Seeking work on own accord in the Union	2,515
Total	10,545

Economic policy throughout South Africa in relation to the Natives is primarily determined by the gold mines. Not only are more Natives employed there than in any other enterprise, but wages paid in mining influence the standard of wages in all urban industries, and the standard of living in Native Areas from which mine labourers are drawn. On the gold mines, European workers form a small elite, paid on a scale that is roughly ten times as high as that of the Native labourers. By the Mines and Works Act the colour bar was legalised; White workers were protected in their privileges and Native workers were excluded from more lucrative and responsible employment. Since 1931, the skilled European miner has been further protected by his Trade Unions, while Native labour is only now beginning to organise and is prohibited by law from striking.

The strikes of European mine workers in 1913, 1914 and 1922 were different from labour movements in other parts of the world, for they were directed not only against the employer, but against the dilution of labour by a group of fellow-workers differentiated by colour and a lower standard of living. The labour policy of the Union of South Africa is designed to perpetuate White superiority, to maintain high wages for the Europeans and low wages for the Natives.

The extent to which colour overrides identity of economic interests and accentuates group rivalry can be further illustrated from the position of Swazi in trades in the Protectorate. They have great difficulty in stepping out of the ranks of peasants and unskilled workers into any profitable business. According to the Official Gazette (No. 1952, August 1938) 74 of 331 businesses were registered in the names of Natives, 32 of whom were speculators in hides and skins, 26 were butchers, 6 were general dealers, 3 were grain dealers. European licence holders included 88 general dealers, 48 " foreign agencies " and 25 butchers. Most shops in Native areas are owned by Europeans, some of whom are ever ready to report to the licencing board cases of trading without a licence or of exceeding the rights of specific licences. It is difficult for Natives to obtain licences for the more secure enterprises, and apart from one man in Mankaiana, no Native has been able to rent or buy a trading site in an urban area. The European monopoly is protected by the European Advisory Township Committees elected by owners of stands in each urban centre.

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[1] From Swaziland Annual Report, No. 1921, p. 14.

Race discrimination is never rooted solely in economics. Between Poor Blacks and Poor Whites, European and Native trader, the economic resemblance may be great, but psychological, cultural and social differences create a barrier: thus religion, possession of the written word, and tradition are used to emphasise distinction. Above all there reaches the self-protective, self-assertive call of the European, and the propaganda often unconscious, of White superiority.

Minor civilities, the daily courtesies that make social relationship easy and pleasant, are ignored by Europeans when they deal with Natives. Names, dress, language, eating habits, are symbols of difference that have become emotionally valued. Thus personal names are kept from the alien group. Swazi know that every European male expects to be greeted *Nkosi* (Chief), "Baas" (Afrikaans for master), every European woman *Nkosazana* (Princess), or, if she be long married *Nkosikazi* (Queen). The more educated say "Sir" or "Madam," for to use "Mr." and "Mrs." lays them open to rebuff. Yet Swazi are never addressed by their clan names as is their custom, and often protect their personal names by adopting any label given by a facetious employer.[1] Swazi often discuss the European lack of manners, and I realised how sensitive Swazi were by the care with which I was instructed in etiquette. Abusive forms of address are considered by certain Europeans the proper method of communicating with Natives.

Physical contact between European and Native is taboo, unless initiated by the European. Handshaking, a greeting between Swazi as well as between Europeans, is avoided across the colour barrier, since, as Europeans explained to me, "the Natives are not sufficiently civilised; they are dirty." "It is unnecessary familiarity, and lowers White prestige." To avoid touching a Black hand, some Europeans throw sweets and pennies on to the ground and laugh with pleasure as the children grovel for the "gifts." Swazi were not slow in pointing out to me that despite the abstention from personal contact, Natives cook for Europeans, do their washing, and look after their children.

Ignorance of the Swazi's mode of living aggravates disharmony. The predominant relationship is that of master and servant, of "civilised" and "primitive." Europeans who work with Natives spend their leisure hours with members of their own colour group. A few missionaries and administrators consider it necessary to understand the Natives, to learn their language thoroughly, and grasp their laws, but most European Swazilanders are content to speak "kitchen kafir," and to limit their knowledge to a few "quaint customs." Some settlers exhibit a patronising curiosity and possessive pride in the exotic features of Native culture, sightseers drop into the capital to look at the Queen Mother, and Native ceremonies occasionally draw white spectators armed with the inevitable camera, and the indiscriminate *bonsela*—gift.

The Europeans' ignorance of the Swazi is equalled only by the Swazi's ignorance of the European. One hot day I was sitting barefoot in my hut when some children visited me. "*Hau*," exclaimed a child of about seven years, "Whites also have toes." A more sophisticated companion laughed tolerantly at his ignorance and said, "Of course she has toes, but she can't walk on them. That is why Europeans wear shoes." The attitude of women who have never been inside

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[1] **Umnyakaza was already semi-sophisticated. He said "Always keep your own name. When a European calls you Tom, he means Tom Cat, when he calls you Jim, he means Jim Fish. He is insulting you, but you are a *Likafula* (kafir) and say "thank you, Baas." That is if you are a fool. I am no longer one. Once I was called Tom; now I say my name is Umnyakaza and nothing else."**

European homes, or spoken to Europeans, is often equally naive. Even those Swazi who worked for the Europeans do not understand Western culture. The art and beauty, the moral conflicts, the struggles for improvement of life, the ideals and suffering, the gradual accumulation of spiritual values and ideas, the stimulus of abstract thought, cannot be sold over a shop counter, nor learnt in factory, farm nor elementary school, nor seized by force, nor achieved by prayer.

5. Status Reactions Across the Colour Line

The attitude of the European bloc is differentially applied to the stratified Swazi society. All sections of Europeans appreciate the power of the aristocracy. The Administration attempts to introduce innovations through the accepted chiefs at the same time as it criticises the hereditary principle of leadership.

The Transvaal Chamber of Mines and other industrial concerns are also aware of the prestige that the chiefs still exercise. In the early days, chiefs were often paid to send along followers as labourers; one pioneer told me that he gave 10s. for each man, which is one third of the capitation fee paid to European recruiters.

Sobhuza assists in appointing *tindvuna* (men in charge) for Swazi employed on the Rand mines, and for many years he was represented by the wise Prince Ntamo, son of Mbandzeni. At the request of the managers of the Asbestos Mine in the Peak, Sobhuza sent Prince Mhau, another son of Mbandzeni, to look after his people. Instead of organising into industrial unions, the workers, as the employers appreciate, tend to turn to their traditional leaders who negotiate for them. Since the chiefs have no training in trade union organisation or political movements, they cannot effectively put forward the demands of the workers.

Not only mining entrepreneurs but European farmers approach rank by birth from a practical self-interest standpoint. Individual farmers have learnt to their cost, that it is unwise to awake the hostility of chiefs in the vicinity lest labour be difficult to obtain and control.

Traders realise the influence that a chief and his family have in setting the fashion in bead, cloth or blanket. Between trader and aristocrat there is often a more friendly relationship than between any other Natives and Europeans in Swaziland. One trader quarrelled with a chief in whose district he had his shop, and was boycotted until, by judicious gift-giving, harmony was restored and business revived. The interest in the chiefs is really directed to their followers, the masses, the labour force for mines and farms, the purchasers of most of the goods.

6. Limits of Variation

Within the limits set by domination, the various sections of Europeans react in ways again socially imposed. The norm ranges from the courteous and aloof manner expected of officials, to the jocular familiarity permitted the trader. The missionaries stand in a peculiar relationship, for among them are the chief exponents of liberal ideas, of the equality of man and of the need for change. The varied interplay of the European sections with the Natives may appear to deny the emphasis that I have put on their bond of colour, but only in isolated episodes is there a contradiction. For example, it does not affect the fundamental pattern that the Courts punish a European farmer for maltreating a Native, or that at Christmas time, while mine manager and trader are throwing magnificent parties for Native workers and customers, the churches nearby denounce drink and sexual license. Despite the range of variation within the White group, there is always a limit beyond which individuals may not go without meeting general disapproval, ostracism or other penalties. Intermarriage, the final stage of equality, is denounced by all.

Colour is a uniform that individuals are not permitted to discard. The European may learn the Native language perfectly, he may throw a spear and lead the plough in communal work, and do his utmost to identify himself with the Natives. I met a few men in Swaziland who had "gone Native." Yet even these people are described as "like Swazi, but Europeans." They can, if they wish, still enjoy legal privileges of their colour group and, as soon as they move from the familiar surroundings, are treated by other Europeans and Natives as White. The same applies to a Native; he may be educated, well-dressed, baptised and believing, he may even be admitted into the homes of certain Europeans, but he is not allowed the legal privileges, the economic benefits, the social courtesies that operate between members of the White group.[1]

Conclusion

The doctrine of race superiority is challenged in the theory of democracy, but in Swaziland, as in the rest of South Africa, dogmatic discrimination is maintained. By exclusion from economic, social and educational activities, South African Non-Europeans are denied the opportunity to disprove their "inferiority," but, on the other hand, the very imposition of disabilities is a tacit expression of the fear that they might prove their equality.

The application of the principle of "race difference" has produced a cleavage that is likened to the caste system. In India, the home of the system, the entire Hindu population is divided into a number of graded endogamous groups, in each of which the members are socially equal, practise the same religious ritual, and in former times followed the same occupation. By their inter-relation, based on mutual exclusion, the castes form the community as a whole. In South Africa, the conquering race-conscious Europeans operate in many respects as a superior caste, distinguished by their monopoly in politics, economics and social benefits. At the same time the existence of Coloureds and Poor Whites, of Native business men and preachers, inter-racial associations and inter-national political organisations, indicate that the White caste is not secure. The development of a caste structure is an occasional, not inevitable, result of the subjugation of one ethnic group by another. A passive acceptance of caste is inculcated by the Hindu religions, in theory it is challenged by Christianity; in India the system was in existence for centuries, in Africa liberal Europeans (albeit few in number) and educated Africans (equally rare) reject, and have rejected since the early years of contact, a system based on "racial" claims.

Discrimination has produced its philanthropic supporters anxious to protect "the soul" of the people, and ever ready to stress the hardships and dangers of unrestrained co-operation and intermingling between "races." This point of view cannot be scientifically supported. Discrimination has also called forth denunciation from those who advocate radical measures to abolish traditional cultures as a solution of racial conflicts. They fail to appreciate the depth of attachment that men have to their culture. It is essential to realise that while, on the one hand, their is no blood bond between men and their culture, every individual expresses himself through a particular culture, and this is not readily or easily discarded. Swazi, like Europeans in Swaziland and elsewhere, cling to the familiar modes of thought and action, but not "instinctively," not by virtue of any innate characteristics. Given the inducement of prestige and security, many nations have willingly changed their way of life.

It is not necessary in this article to labour the unscientific basis of discrimination based on colour. An extensive literature on the subject already exists.[1] Whites, Blacks and Coloureds are all members of the same species, homo sapiens, and the physical differences between them lie in secondary characteristics that have in no case been proved to influence, let alone determine, culture. Allegations of "racial inferiority" are similar in many respects to allegations of witchcraft: they express hatred, malice and fear.

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[1] The further relations of Europeans to Africans on the one hand and to Coloureds on the other will be discussed elsewhere.

[1] See for example, J. Huxley and A. C. Haddon: *We Europeans*. Cape, 1935; R. Benedict: *Race and Racism*. Routledge, 1942. C. Dover: *Know this of Race*. Secker and Warburg, 1939; J. Barzun: *Race*. Methuen, 1938.

SHAKA'S GRAVE AT STANGER

Dr. N. J. van Warmelo, Government Ethnologist, sends us the following material.

On learning that some doubt had been cast on the correctness of the site of Shaka's memorial, which is supposed to mark the place where he is buried, the Magistrate of Stanger, Mr. M. P. Snyman, made some inquiries. He obtained the following statements which were forwarded to the Department of Native Affairs for record. In view of their interest to Zulu historians, the Secretary for Native Affairs, Mr. D. L. Smit, suggested that they should be made more readily accessible by publication.

A few alterations have been made in the spelling of Native names in the originals for the sake of uniformity.

Makeni Nxele speaking in the Zulu language through the official interpreter Mr. C. J. Landman, declares under oath in the presence and hearing of Chief Mbango Zulu of the abakwaZulu Tribe, Chief Siziba Qwabe of the abakwaQwabe Tribe, Acting Chief Jacob Cili of the abakwaQwabe Tribe, Chief Mazinyane Ngcobo of the abakwaNgcobo Tribe, Ndabazezwe Matonsi of the abakwaMatonsi Tribe, Gundane Dube of the abakwaDube Tribe, Chief Absolom Magwaza of the abakwaMagwaza Tribe, Acting Chief Mbuzeni Nxumalo of the abakwaNxumalo Tribe, Acting Chief Nyumbana Mzimela of the abakwaTembu Tribe, Acting Chief Dikiza Cele of the abakwaCele Tribe, and Chief Albert John Luthuli of the abaseMakolweni Tribe.

1. I am a male Zulu native and was born a member of the abakwaZulu Tribe. I was born on the Northern (Zululand) side of the Tugela River. When I was very young I accompanied my parents to their home in the immediate neighbourhood of the place upon which the town of *Stanger* is situate. The land upon which Stanger is today situate was then and is still known as *Dukuza* and the place upon which the head kraal of the late Zulu King Shaka was situate.

2. I still remember the first Rev. Grout and knew him during his life-time at what is today known as the Umvoti Mission Reserve in the District of Lower Tugela, where my parents and I even then resided.

3. I was born so long ago that I belong to the Regiment known as Landa Dhlovu. I am well above the eighties in age and can still remember when the grandfather of the present Chief Mbango Zulu moved from Dukuza to the thorns on the Umvoti River. I remember when I was a youth and a herd boy of calves at and around Dukuza. Some very old men then informed me that they were alive when the late King Shaka was killed and buried. There were some very old men at Dukuza, older than I am today, and a number of them in their life time showed me where they saw King Shaka being buried. The spot which they showed me is the spot on which the Shaka Monument is today at Stanger. These men, although they did not tell me where they stood and saw the king being buried, informed me that they saw him, King Shaka, being buried. Unfortunately I do not remember their names, but they were prominent elders—very old men of the Zulu nation.

4. These old men showed me the spot where the late King's Head Inyanga resided. It is where the public cemetery is today at Stanger.

5. I still live in the Northern portion of the Umvoti Mission Reserve and on the spot upon which the kraal of my father was situate. My mother and father died there. Later there became established the abasemaKolweni people in the Umvoti Mission Reserve of which I became an Induna many years ago. I am still an Induna of these people who are presently under Chief Albert John Luthuli.

6. I know Nodlela Dube the senior Induna of Chief Gundane Dube of the abakwaDube

Tribe. We grew up together. I am older than he is. He was born years after I was.

7. Dwayi Mkwanazi, an important councillor of Chief Timuni, the grandfather of Chief Mbango Zulu, had his kraal where the present Police camp in the Eastern portion of the town of Stanger is situate. He was not an Induna, but one of the leading men of the Tribe. He was one of the men charged with the duty as the Chief's eyes to look after the grave of the late King Shaka. I make mention of this because these are things that the Ibandhla used to relate for the information of the people in order that they may know the things that have happened in the nation.

8. It is felt that the Europeans and even Natives when they tell about the death of Shaka have started doing so from somewhat in the middle of the events which led to his death. What I am going to state now is what the *abadala*, that is, the old men of the Zulu Nation sitting as an *ibandhla* related. Shaka's warriors had just returned from the campaign in Pondoland against Chief Faku and other Tribes there, when he ordered his warriors to go North and follow up Soshangana, who had some time back gone North and taken away the cattle of the Zulu King. Soshangana was of the Ndwandwe Tribe. This Ndwandwe Tribe was also known as the Nxumalo Tribe, a portion of which is still under Chief Ndleleni Nxumalo. Nxumalo is the surname of the Ndwandwe being the *isitakazelo*. Soshangana was one of the sons of Chief Zwide of the Ndwandwe Tribe. Soshangana ran away North because Ndwandwe had killed a Mtetwa Chief and Shaka said by killing the Mtetwa Chief they had killed his father. Shaka therefore on that score then attacked the Ndwandwes as he said they had killed his father. Soshangana was then attacked by Shaka and they had several battles until finally Soshangana, who was worsted, decided to leave this part of the country and trekked North with the whole of his Tribe. On their return from Pondoland Shaka said to his warriors they must follow up Soshangana because he felt that Soshangana was running away with his cattle as he had already beaten him. Shaka then sent his impi North and the warriors took the route which passes through Mbozama and through Entshaweni. Shaka did not accompany his impi but after the impi had left he saw some men near the bush at Dukuza. When he saw these people he sent his body-guard to meet them. The people that he saw were on the Stanger side of the Mbozama River. He sent his bodyguard to find out who the men were. The body-guard returned and said that these men were the King's brothers. The body-guard reported that the King's brothers said that they have returned because they have become tired as the King had not given them a rest after their return from the Pondo campaign. The King then ordered his body-guard to go and call his brothers to him. The brothers came to the King. These brothers were Dingaan, Mhlangana and Mpande. I remember being told only of these three brothers who were there. They came to the King, and paid their respects to him and then went to their own huts. A few days after this, there arrived messengers sent by Faku the Pondo Chief. The messengers came to convey Faku's allegiance to King Shaka, who said that he Faku recognised that Shaka had beaten him. The brothers had become aware of the presence of these messengers, and the day on which messengers had to have audience with the King, the brothers planned to kill the King on that same day. The brothers then conspired with the King's body-guard. There were two huts in which the King kept the spears which used to be given by him as presents to the warriors. There was a guard over these huts. The brothers and the body-guard ordered the guard of these huts to move away. The brothers told the body-guard that after placing the King's stool, he must then return to where they, the brothers, were in hiding. The body-guard did so and returned to where the brothers were in hiding near the two huts where the spears were kept. The brothers then gave the body-guard some spears and said that he must be the first to attack the King. The body-guard, whilst Shaka was still talking to the Messengers of Faku, came and pierced him from the back with the assegai. Shaka then exclaimed

"You have stabbed me!" At that moment his brothers also came up and stabbed him. He then went on to say, "Yes, you stabbed me, but although you have stabbed me, you will not rule the land. I tell you that the land shall be ruled by swallows (meaning birds) that build their nests with mud." The Pondo messengers then ran away from the scene. These messengers then spread the story that King Shaka had been killed and the Pondos were thus able to recapture some of the cattle which Shaka had taken from them during his campaign against them, as these cattle had been left on route from Pondoland to Dukuza at the various kraals of the King.

Another body-guard of the King who used to carry the King's shield in battle, heard about the stabbing of Shaka, and came to verify what had taken place. He found the King dead. This body-guard was Tokotoko ka Sojiyasa. Sojiyasa is the grand-father of the famous Chief Zibhebu of the Zibhebu Tribe now in the Nongoma District. At the time when Shaka was being stabbed this man Tokotoko was at the kraal of the King's Inyanga, which was situate on the spot where the graveyard of Stanger is today. When Tokotoko saw that the King had been killed he told his own servants that they had better run away because he feared that he too would be killed. Tokotoko then ran away to where the Mandhlakazi Tribe now lives in the Nongoma District. The abaNumzane who were still at Dukuza then buried the King. It must be remembered that all the indunas and all the able-bodied men were away on the expedition after Soshangana, and it was the old men who were left at home who buried the King. When the army returned they found that the King had died and this led to the events which resulted in Dingaan ascending the throne of the Zulu nation.

When Dingaan ascended the throne the first step that he took was to kill Mhlangana. Dingaan's kraal was then beyond the Tugela in the Mahlabatini District. The men of the nation felt that Dingaan would kill all his brothers, and so they took steps to hide away Mpande, because Mpande was the only one of the brothers who had married and had children. Dingaan himself was not married nor was Shaka. It is alleged that Shaka had an illegitimate son but that he had him killed, and that one of the reasons why Shaka had his own mother killed was for harbouring this illegitimate son of his. Dingaan took steps to find out where Mpande was but the men would not disclose his whereabouts. They consoled Dingaan by saying that he should not worry about Mpande because Mpande was nothing but a fool. This explains how Mpande was saved. The men of the nation then took Mpande South across the Tugela River and Mpande established his kraal where Tongaat village is on the Tongaat River known as the Ohlawe River. After establishing his kraal where Tongaat is, he came and established another kraal at Madundube now known as Mount Albert, near Stanger then known as Dukuza. The name of the kraal was Hlomendhlini. Some men of the nation across the Tugela made plans with Mpande that he should seek the help of the Boers who were then in the country. They said that even if the Boers were few in numbers, as long as they were on horseback that would serve the purpose of frightening King Dingaan into believing that there was a large army coming. That is how Mpande subsequently came to attack Dingaan assisted by the Boers. When the fight started between Mpande and Dingaan a cry went up that a white horse had appeared ridden by a Boer, and on hearing the shout Dingaan's impis became frightened and ran away North to somewhere near the border of Swaziland, where Dingaan himself was later killed by the Swazis. The place where Dingaan's impis were defeated by the Boers was at the Umkuzi River. At the time of Dingaan's death there were not many people with him. Most of his people had deserted him. I end my story there.

As Witnesses :

1. (Sgd.) A. J. Lutuli
2. (Sgd.) J. C. Landman

Makeni Nxele his X mark.

Dated and sworn before me at Stanger this 11th day of March, 1942.

The deponent has acknowledged that he knows and understands the contents of this affidavit which was sworn to before me.

(Sgd.) M. P. Snyman.
Magistrate and Native Commissioner,
Stanger, Natal.

I, the undersigned *Nodhlela Dube* son of the late Chief *Mfungumfu Dube*, Head Induna of the abakwaDube Tribe, under Chief Gundane Dube, of the Umvoti Mission Reserve, Lower Tugela District, Natal, hereby make Oath and say :—

When I was a herd boy about seventy-five (75) years ago and herded cattle on the land on which the town of *Stanger* is now situate, I knew *Msoxo Zulu* and *Sapula Nxumalo.* I used to meet them at Stanger also known as Dukuza or Shakastad. *Msoxo* then resided on that portion of Stanger which is known as Erasmus Dam. The said Msoxo Zulu and Sapula Nxumalo were then old men ; older than I am today. Msoxo was then already so old that he in fact walked with a stick in a bent position. Sapula was then already also an old man but not as old as Msoxo.

The said Sapula then lived where the Gledhow Sugar Mill is today situate. At the spot where Shaka's Grave is situate today there was much bush which had been cut away and stacked to form a hedge or skerm around the grave itself. Our elders warned us not to enter the enclosure within which King Shaka's Grave is situate as they stated that in it was a huge snake, the name of which they did not give, but said if we entered, it would raise the front portion of its body off the ground. We umfaans, however, out of curiosity did look through the hedge into the enclosure and I, myself did then see this huge black snake which raised the front portion of its body high above the ground. We did not go too near as we were told by our elders that this snake represented the spirit of Shaka. These things we saw when we herded our cattle.

When I was an *umfaan*, one of the guardkraals was situate on the west end of Stanger near the present Immigration Hospital and the other was situate on the other side of the Railway Station between the Railway Station and the Mbozama River. I may state that at that time no one was allowed to cut any bush in the area where Shaka's Grave is situate.

In addition to the said Msoxo Zulu and Sapula Nxumalo, there was Somtana Sibiya, also an old man who belonged to the Mkutshana Regiment, who informed me too, that he witnessed the funeral of the late King Shaka. All these three men at different times showed me and the other herd boys where they saw King Shaka being buried, and this spot that they showed me is the one on which the Monument is erected in memory of the late King at Stanger. All these three men informed me and the others that they were present and saw the Zulu King Shaka being interred.

These old men also warned us not to let the cattle into the enclosure in which the King is buried. I remember that some of our cattle actually strayed into the enclosure and after they had emerged some had been bitten by a snake and had died.

I was born at a spot on the left North side of the Umvoti River, a few miles from its entrance to the sea and approximately where the Railway line crosses the Umvoti River today. This spot is not more than three miles in a direct line from Stanger and I have never been away from that vicinity. I still reside there, where I am, as I have been for many years, Head Induna of the abakwaDube Tribe of the Zulu Race. My father was Mfungumfu Dube and my mother Nomatyala ka Mtiyana. The present Chief Gundane Dube is the eldest son of my father's ***Inkosana*** whose name was Makeu Dube.

I wish to state that notwithstanding my great age, I am still enjoying good health. I am in possession of all my faculties. I am today enjoying good health. I today walked in from my home on the Umvoti River to the Magistrate/Native Commissioner's Office at Stanger to come and make this declaration. I still remember the first Mr. Knox and he owned land here. I also knew another European known to us as Malamba who had an hotel here. I remember him sending a little liquor to my father from time to time. I recollect Mr. Knox setting aside the plot upon which Shaka is buried at Stanger. I also remember that the first cases were tried at a place near Umhlali. I still remember the first European magistrate. I think his name was Jackson and I remember carrying grass to thatch the roof of the Magistrate's Office at Stanger which was situate on what is today the sports ground at Stanger on the Mavivane Stream. I do not yet suffer from forgetfulness.

Nodhlela Dube his X mark

Sworn at Stanger before me this 4th day of December, 1941.

1. J. C. Landman. (Sgd.)
2. Taylor Dube. (Sgd.)

The deponent has acknowledged that he knows and understands the contents of this affidavit which was sworn to before me.

(Sgd.) M. P. Snyman.
Magistrate and Native Commissioner.
4 December, 1941.

NOTES OF THE QUARTER

Native Law Amendments

The Native Administration Amendment Act, which was passed three months ago, makes some useful changes in the Union's system of Native law. These changes were necessary because legal problems had cropped up which could not easily have been foreseen when the original Act that recognized Native law was passed in 1927.

The first amendment is designed to give a Native woman easier access to the Native Commissioners' Courts. It will erase the effect of certain decisions of the Native Appeal Court which held that the status of Natives must always be determined according to Native law, even when they may be suing under the Common law. As Native women are perpetual minors under Native law, these decisions created much hardship, particularly for women of the educated class as well as for many others in towns who desire to acquire property in their own names. The amendment is expected to overcome this hardship without going too far and offending the uneducated Natives who complain that they are losing control over their womenfolk.

The amendment adds a new sub-section (3) to section 11 of Act No. 38 of 1927, as follows :—

(3) The capacity of a Native to enter into any transaction or to enforce or defend his rights in any court of law shall, subject to any statutory provision affecting any such capacity of a Native, be determined as if he were a European : Provided that—

(a) if the existence or extent of any right held or alleged to be held by a Native or of any obligation resting or alleged to be resting upon a Native depends upon or is governed by any Native law (whether codified or uncodified) the capacity of the Native concerned in relation to any matter affecting that right or obligation shall be determined according to the said Native law ;

(b) a Native woman who is a partner in a customary union and who is living with her husband, shall be deemed to be a minor and her husband shall be deemed to be her guardian.

The second amendment is intended to provide a better rule for solving the conflict of tribal laws than was afforded by the old sub-section (2) of section 11, which read : " Where the parties to a suit reside in areas where different Native laws are in operation, the Native law, if any, to be applied by the court shall be that prevailing in the place of residence of the defendant." It was found in practice that cases often arose in which the defendant was not living with his own tribe, or in which both parties were living in urban locations where no single body of tribal law could be said to prevail. The amendment, which widens the court's discretion in such cases, reads as follows :—

(2) In any suit or proceedings between Natives who do not belong to the same tribe, the court shall not, in the absence of any agreement between them with regard to the particular system of Native law to be applied in such suit or proceedings, apply any system of Native law other than that which is in operation at the place where the defendant resides or carries on business or is employed, or if two or more different systems are in operation at that place, not being within a tribal area, the court shall not apply any such system unless it is the law of the tribe (if any), to which the defendant belongs.

A third amendment increases the jurisdiction of the Native Commissioners' Courts to hear cases not only when the defendant resides in its area but also when he carries on business or is employed there or if the cause of action arose there. The object here is to stop the present practice whereby a Native can evade an obligation for years by changing his domicile and so making it almost impossible for the plaintiff to sue him. The Commissioners' Courts will in future be in the same position as Magistrates' Courts are in relation to European litigants. They are also given the new power to interpret a will provided that the value of the property affected by it does not exceed £300 ; if it does, the matter must still go to the Supreme Court.

Yet another amendment which is particularly welcome is that which enables the Minister of Native Affairs, when he doubts the correctness of a decision given by the Native Appeal Court, to submit the question of law involved to the Appellate Division of the Supreme Court. The Minister's power to do this was hitherto very limited ; now he can quite readily obtain the final judgment of the highest court in the country for the future guidance of all concerned with the administration of Native law.

* * * *

More Moffat Papers.

The splendid gift of Moffat papers to the archives of Southern Rhodesia (to which we referred here in Volume 1, page 225), has now been followed by another case of valuable historical documents.

The collection (says a report in the *Bulawayo Chronicle*) includes another instalment of the journals of Robert's elder brother, Alexander, who enlisted as a private in the East India Company's forces, but the richest part of the acquisition relates to Robert and Mary Moffat, their son, John Smith Moffat (the friend of Lobengula), and his wife, Emily.

A gold medal records the admission of the Rev. R. Moffat, D.D., F.R.G.S., to the " freedom and livery of the Turners' Company of London " in 1877. There are masses of papers concerning J. S. Moffat, who in addition to being British Resident at Lobengula's kraal in the early days of Rhodesia became Rhodes's right-hand man. His wife's letters to her father give precious glimpses of life in pre-occupation Rhodesia. Other revealing manuscripts include J. S. Moffat's correspondence with the London Missionary Society from 1864 to 1880, official papers relating to the days of Sheppard and Loch, and the Moffat Treaty. There are also priceless Bechuanaland papers of the stirring times between 1890 and 1898, Basutoland records and notable miscellanies that include Moffat's diary for 1887 to 1892.

One of the most poignant passages in African mission history, the story of the Inyati Mission, is recalled by a stained and frayed account written by the chief survivor, the Rev. Roger Price. It tops a long series of his letters. J. S. Moffat was the bearer of two significant letters to Lobengula, one, with the Royal Arms and a bulky seal, is from Queen Victoria, dated 1890 ; the other from Sir Henry Loch in 1891. Both assure Lobengula that there is nothing but love and affection in the Chartered Company's approaches, but that he should banish all other White pretenders. Closer examination is needed before the wealth of the new collection can be fully known.

* * * *

Miss Campbell's Africana Collection

A correspondent writes :—

Miss Killie Campbell's family background, her great love for South Africa and keen interest in its history and peoples, has been the inspiration for the gathering together in Durban of many old books and manuscripts. The collection during the last fifteen years, since she started seriously, has grown into a library of national significance.

Visiting old bookshops in England and scouring South Africa, she started with the earliest travellers' voyages and expeditions—Leo Africanus, 1556, bound in the original vellum and printed in Latin ; lovely editions of Burchell, Le Vaillant, Angus and Daniell, as well as the history of the country, including a section on slaves.

Believing that a thorough knowledge of the historical background is a necessary foundation to a study of the Bantu people, she concentrated on this first, and now she is building up the Bantu part of the collection which is to form the main branch of the library. This section includes history in books and also in original manuscript articles ; anthropology ; journals such as complete sets of the Royal African Society and the Royal Anthropological Institute Journals. An interesting item is Vol. 1 No. 7 of the old Zulu magazine *Inkanyezi Yokusa* of 1850. Indigenous Bantu literature, music, art and folk-lore—Callaway's uNkulunkulu ; economics, administration ; education ; race relations from all angles ; language and many missionary books and journals with their interesting early accounts of the Bantu. There are also large albums of photographs of various tribes, showing the customs, historical places and occasions and the trend of modern progress, as well as a very rare collection of bound excerpts from old magazines and journals.

Miss Campbell believes there will be a Bantu museum some day devoted to Bantu culture of which she herself has started a nucleus.

Among the private papers, the collection includes those of Bishop Colenso. These are of particular interest, consisting of about 1900 original letters, the famous " Bishop Colenso's Commentary on Frere's Policy," and many photographs, books and articles. This has an important bearing on the Bantu and their administration at the time of Theophilus Shepstone, and shows the Colenso policy clearly. It gives information about the church dispute too.

There are also contributions from old colonists in the form of original letters, diaries and articles and a large collection of photographs of old Durban, amongst other places.

Settler's furniture and treasures are collected which will go to the Old Settler's Museum which is planned for Natal after the war.

The Afrikaans section is probably the largest in Natal. It includes some rare books and newspapers, such as *Die Patriot*, and *Ons Klyntji*, old journals and church magazines.

The newspaper cuttings are arranged in books and files, covering all sections of the library, especially the Bantu. Reminiscences and biography, bluebooks and handbooks are also included.

In all probability the main collection will be given to the Natal University College at Durban, (where it is hoped that a chair of Bantu Studies will be established later).

The library contains about 15,000 books and is constantly being added to. In every section there are early accounts and recent works on the subject. It is housed in Miss Campbell's home, Muckleneuk, Durban, and is open by appointment for the use of research students and writers.

* * * *

Terminology of Age Grouping

Dr. F. Rudolf Lehmann writes :—

In the modern ethnological literature there are no two publications dealing with the sociology of illiterate peoples which use the same terminology for the division and stratification of communities on the basis of age. We therefore need to find a suitable and exact terminology inasmuch as the proposals of Professor A. R. Radcliffe Brown (Man XXIX, No. 13), F. J. Richards (Man XXIX, No. 29) and " Notes and Queries of Anthropology " (London 1929) p. 56 did not dispose of the question. Indeed, it is very difficult to find sufficiently clear and plain terms for this multiform and always changing social complex that in some cases proves to be only an imperfect adoption of a fuller system. The following are some suggestions for meeting the difficulty.

(i) The word *age-group* is best reserved as the general term for each form of grouping on the basis of age.

(ii) The word *age-stage* should be used also as a general term for the individual biological stages of a human life. In most cases illiterate people have a tripartite division of a man's individual life :—(a) childhood, (b) manhood or womanhood, (c) seniority and senility. These stages are clearly marked by special vernacular words and very often show further subdivisions and transitional ceremonies.

(iii) As to the special sociological terms for the different age-groups of a community which mark the highly developed differentiation of the second age-stage (the stage of the biological maturity), we have to distinguish between two different types :—(A) age-groups which embrace all members of a community and in which each person remains a member of the same section for the remainder of his life ; and (B) groups, which were originally also age-groups, but which include at this stage of their development only a limited number of selected members of the whole community so that each person passes successively into one of the following stages of a hierarchy after another. In these cases the age-principle is subordinated to a plutocratic or hereditary principle so that the word " age " before the corresponding classificatory terms may be omitted. These groups are usually called " closed or secret societies " and " clubs." With regard to group A we have to distinguish (A) 1 : *age-sets*, which are groups of persons considered to be of the same age-stage (age-fellows ; ἡλικιῶται) characterised by a specific behaviour towards the older and privileges towards the younger age-sets and gradually entering public life. But the second age-stage does not have the exclusive function of a military or ruling political section of the community, e.g. Nuer or Nyakyusa, the latter with age-set villages forming " social branches " of a kind,

(A) 2 : *age-classes*, which are strongly organized groups of persons on the basis of the age-set principle (advanced forms of (A) 1), with very sharp characters between the different classes which are in most cases (or were at least formerly) circumcision-classes. Each circumcision-class receives a *new* name, whilst the names of its subdivisions are fixed. As soon as the corresponding age-class reaches the stage of maturity and has gone through the circumcision it is entrusted till the marriage (a) with the responsibility for the welfare of the whole community as the warrior and ruling class forming a neontocracy, (e.g.

Masai); or (b) with the duty to serve to a ruler as the warrior class or as regiments (e.g. Chaga, imitating the Masai; Zulu, but since the time of Shaka without circumcision.)

(A) 3: "cyclic age-classes," these are groups of the same character as (A) 2, but on the basis of a limited number of circumcision-classes with *fixed* names (as the names of the sub-divisions). Each class comes into function only after a period of some years (a) as the ruling class (e.g. Nandi; Ikoma), or (b) the significance of these classes is only behavioristic, without military functions (e.g. Dorobo).

(B) The stages of the "closed or secret societies" and "clubs":

1. "grades"; the different positions within the secret societies;

2. "ranks": the different positions within the clubs. In some cases, the plutocratic principle changes also the systems described sub (iii) (A) 2, and develops "ranks" within the age-classes obtainable by fee, and by these means forming a transition to type (B) 2, (e.g. Kamba, the persons of 40-50 years represent here a gerontocracy).

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Bible Translation in Africa

Two recently-published books have added enormously to our knowledge of the vast programme of Scripture translation which is being carried out by the different Bible Societies in all the languages of the world. These are Dr. E. N. North's *The Book of a Thousand Tongues*, published for the American Bible Society in 1938, and Dr. R. Kilgour's *The Bible Throughout the World*, published by the World Dominion Press in 1939. Dr. North is General Secretary of the American Bible Society and Dr. Kilgour was for many years Editorial Superintendent of the British and Foreign Bible Society.

Dr. Kilgour's book is an account of translators and translations in a survey of the world, continent by continent. Some 67 pages are devoted to "The Bible throughout Africa" and a mass of valuable information is contained in this chapter, in which two useful maps are included.

Dr. North's large folio volume of 386 pages is remarkable in that it contains over 1,100 examples, mostly facsimile reproductions, taken from the text of more than a thousand different languages and dialects. There is an informative introduction and most interesting tabular matter. The statistics are given up to (though not complete for) 1938, and show some part of the Bible translated into 1,008 languages and dialects in the world (to which Europe contributes 173, Asia 212, Africa 345, The Americas 89, Oceania 189). Entire New Testaments number 389 (Europe 67, Asia 107, Africa 127, The Americas 22, Oceania 66). Entire Bibles number 179 (Europe 49, Asia 55, Africa 37, The Americas 5, Oceania 33).

This serves to reveal the important place African languages hold in the field of Scripture translation. It is interesting to analyse the African languages and see the place that Bantu holds. This is the comparative result:

	World	Africa	Bantu
Portions	1008	345	170
New Testaments	389	127	89
Bibles	179	37	25

In other words nearly one quarter of the world's New Testaments are Bantu and nearly one-seventh of the world's Bibles; one-sixth of the world languages in which portions are translated are Bantu, while the Bantu translations number half of those in Africa.

Since the above compilation, and up to the end of 1941, two more Bantu Bibles have been added, making 27, and four more New Testaments, making 93.

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The Natal Code

The full text of the Natal Code of Native Law which we published in our March issue, has been reprinted as a pamphlet. Copies can be had from the Witwatersrand University Press at the price of 2s. each.

BOOKS IN REVIEW

Deep South : A social anthropological study of caste and class. By ALLISON DAVIS, BURLEIGH B. GARDNER, and MARY R. GARDNER. Directed by W. LLOYD WARNER. 1941. *University of Chicago Press.* London : *Cambridge University Press.* 558 pp. 27s.

Sociologists will welcome this book not only because it is a well-rounded study of the influence and pervasiveness of caste and class in an Old City and Old County area of the South, but because here the social anthropologist has studied his own people as part of the "comparative scheme." Secondly, it is a team-work effort. Four anthropologists, two Whites and two Negroes, went to this old "Black" plantation area and there studied their own peoples, comparing notes, working together and producing a joint effort which neither gives only the Black nor the White point of view.

The workers emphasised the concepts of class and especially caste in the area of their choice. For their definition of caste they retained the social anthropological definition of Kroeber, namely, "caste may be defined as an endogamous and hereditary subdivision of an ethnic unit occupying a position of superior or inferior rank or social esteem in comparison with other subdivisions." They have shown how social mobility is a characteristic only of class ; in a caste system it is never possible. They point out the sanctions which are used to maintain both systems, and they emphasise endogamy as the keystone of caste ; how class is the largest group of persons who have access to one another.

The configuration of behaviour patterns, rather than any one particular trait, distinguishes each of the classes from the others. There are three major classes, each sub-divided once. Among the White upper classes the configuration is the veneration of age and the past ; the middle classes wealth ; the lower classes, the primacy of a job. The class system of the Coloured group is shown to be less rigid, well defined or articulate ; to be moulded to the White pattern, and to reveal the impression made by the caste barriers, for an important trait is colour of skin and texture of hair (by White standards) as a means of social advancement.

The research workers have used the family in particular, and associational groups, especially cliques, as secondary units for explaining the concept of class, and for pointing out the mechanisms of social mobility. They have shown how the family group in each class has a varying emphasis, and how transition from one class to another requires a reorientation of ideology and a breakaway from the background, therefore the family, of ones birth.

The second part of the study is devoted to the analysis of the economic life of the people and how it is influenced by caste, while showing at the same time that it is only in the economic sphere that caste is partially and temporarily abrogated.

The area under review is primarily a cotton area. Its decline began with the Civil War and continued through to the post-War depression period. It is only recently that industry has begun to influence the economic life of Old City and Old County, and even here the caste concept plays an important role. When Coloured industrial workers were paid White rates of pay, the Chamber of Commerce induced the owners to reduce the rates, though the increased circulation of money was sorely needed.

In the control of land caste is dominant. Seven out of two thousand farm operators (anyone who contributes either labour, capital or land) own 22.2 per cent of the land. Of these seven two are Negroes. The remaining percentage either own very small holdings or work on land that is not theirs. The greater proportion of tenants are lower class Negroes ; the greater proportion of landlords are upper class Whites. The best land, the greatest productivity, the most efficient workings and equipment belong to those economic groups which dominate the subordinate groups. Almost without exception the higher economic groups are coincidental with the higher class groups. Likewise the division of labour is caste-bound. The owners, of the superordinate caste, more generally do not work ; the tenants, of the subordinate caste, carry the work load. By means of this same caste system the workers are intimidated into working for the upper caste, upper class owners. By the methods of financing the cotton production most tenants are perpetually in debt to their landlords. Unless they can obtain urban employment there is no escape from the cycle of planting, borrowing, selling, repaying and borrowing again. Both on the White and the Black side controls are at work to maintain the social system centred around the plantation.

It is, however, in the field of urban economics that economic relationships cut across the caste system. Where White salesmen have to serve Coloured buyers; where White employees are found to work for Coloured men; where Coloured merchants and professional men have White customers; and finally where the tenets of profit economy declare that it is better (and cheaper) to use Coloured rather than White labour. In all these situations the caste system is modified, though never permanently set aside. The other situation where Coloured folk have certain privileges in intercaste relationships is that of the old domestic servant who is regarded as " part of the family." Otherwise the caste system is dominant whether it be in economic life, education, politics or the law courts.

In a review of an analysis of this type the greatest difficulty is to bring out the complexity of each situation; to describe the nuances and range of reactions in the behaviour patterns which are born out of the caste system and in turn influences it. Of this the authors, in the total work, aided by statistical tables, (long overdue in anthropology) and excellent graphs, have made no mean job. But for the South African anthropologist its greatest value lies in the stimulation of the study. For there exists for us the same caste-class situation, though it may have a different emphasis and a differing intensity. It gives a lead for research of a similar nature on the South African situation. At every angle there is a constant reminder of the similarities.

But in this otherwise stimulating, well worked out study there is one fault, perhaps trivial, perhaps important. It is overloaded with examples; it is too descriptive ; too repetitive. It could well have dispensed with the long quotations to illustrate its points, for it was in those chapters where examples of this type were lacking that the main arguments were best developed. But this defect may well be cured when anthropologists are weaned from their too descriptive approach and realise that what is needed are generalisations based on facts, not an overdose of facts.

Y.G.

A Short History of the Bakgatla baga Kgafela of the Bechuanaland Protectorate. By I. SCHAPERA. Cape Town: *University—School of African Studies.* 1942. pp. 54 (cyclostyled). 5s.

We are indebted to Professor Schapera for another detailed and valuable piece of investigation. This short history takes us back as far as we are likely to get into the traditions of this or any other tribe in the Bechuanaland Protectorate, roughly, to the end of the 17th and beginning of the 18th century. Reference will be made later to this important factor in African life—the lack of deep-rooted tradition and ancient culture.

The first few chapters deal with the beginnings of the tribal history and the gradual emergence of tribal unity, fostered no doubt by the impact first of all of the hammer blows of Moselekatse and his MaTebele impis, and secondly by the intrusion into tribal lands of the Boers of the Great Trek.

The Bakgatla having seen the Matebele move northwards to a safe distance, were grievously disturbed by the division of their land into huge farms and by the continual demands for labour. As was natural, this led them to seek some sort of asylum, if not alliance, with their fellow Bechuana, the Bakwena, more safely entrenched to the west. As has happened in other similar cases on the western boundaries of the Boer Republics, the Bantu tribes concerned did not present a solid block of resistance to aggression, but quarrelled among themselves over boundaries and paramountcy. It was this long drawn out dispute with the Bakwena which eventually overshadowed the Bakgatla relation to the White forces on their flank.

Professor Schapera traces clearly the development of Bakgatla unity and their emergence to a position of independence from their neighbours, the Bakwena. It is particularly interesting to note that as late as 1895 when the three Chiefs of the Bangwato, Bangwaketse and Bakwena (Khama, Bathoeng and Sebele) went to England to protest against the proposed transfer of their territories, not this time to the Boers, but to the powerful British South Africa Company, Chief Lentswe of the Bakgatla did not accompany them. The reason for this was not that the three chiefs were, so to speak, under the wing of the London Missionary Society, for long years the doughty champion of African rights, but that the Bakgatla were considered relatively unimportant, and negotiations were already on foot for placing them under the jurisdiction of the Company. The "unauthorised act" of Dr. Jameson and his armed force in invading the Transvaal brought these negotiations to a sudden stop, and they were never reopened.

This is not the place to detail the further stages of Bakgatla development, but under Lentswe and his (second) son, Isang, great strides were made, and many students of Protectorate affairs have regarded the Bakgatla as the most progressive of the Protectorate tribes. From 1929 onwards there has been a set-back, and the "modern period," as Dr. Schapera calls it, causes much concern in the hearts and minds of all the friends of the Bakgatla. It is to be hoped that another Lentswe or another Isang will be raised up to galvanise the tribesmen once more into united and constructive effort.

It is tempting to dilate on various other important points raised in this short history—the attitude or alleged attitude of the Bakgatla during the Anglo-Boer War, Isang's conception of government, and so forth, but space permits of only one more detailed reference.

Dr. Schapera speaks of Isang's desire to retain and, where necessary, revive, what he (Isang) regarded as "good old" tribal customs. Isang refers to the same matter in his views as tribal development in an appendix. His aim was to stimulate national pride. Admittedly such customs as *bogadi* and *bogwera* have their objectionable features. Isang would have them "sublimated," so as not to be repugnant to Christian teaching. This desire for a reintegration of Bantu life in its more conservative moulds has always been commended by the *laudator temporis acti*, a term which might be used to describe many an anthropologist.

It sets one thinking, however. What is there in Bantu tradition that is going to withstand the impact of modern civilisation (often admittedly bad)? At the beginning of last century a wave of educational advance swept across India; it was the wave of "English" education, inspired by Duff and Macaulay. Towards the end of the century the reaction set in. The Indians now came into their own, and Indian students, partly through disillusionment (for all their "English" they often could not get a job), and partly through the uprising of the nationalist spirit, turned back with a new reverence to their ancient culture. Yes, but theirs is an ancient culture, rich in tradition. If the movement that Isang sought to foster amongst the Bakgatla is to succeed, it seems to many a student of African life that its course will lack vitality, for there is no culture and tradition in African life which is comparable with ancient civilisations of the East. How then is Bantu life to be reintegrated, and a just national pride to be engendered?

This, of course, is not a question that Professor Schapera deals with in the scope of his history. Let me repeat that we are greatly indebted to him for this excellent piece of work—thorough, competent, well-documented, and clearly written.

A. J. HAILE.

The Study of African Society. By GODFREY WILSON and MONICA HUNTER. Livingstone: *Rhodes-Livingstone Institute*. Second impression 1942. Pp. 16. 6d.

Good Out of Africa: A Study in the Relativity of Morals. By A. T. CULWICK. Livingstone: *Rhodes-Livingstone Institute*. 1942. Pp. 43. 2s.

The Rhodes-Livingstone Institute, since its creation in 1938, has earned an enviable reputation among anthropologists for the high quality of the publications issued under its auspices. The two now under review should sustain and even enhance that reputation.

The Study of African Society was first published in 1939; the fact that a reprint has been found necessary after so short a time shows that the paper has served a useful purpose. It describes, fairly briefly, the aims and methods of modern social anthropology, and is intended primarily as a guide "to those many Europeans who are sufficiently interested in the Africans among whom they live to wish to make some systematic study of their customs." The first four chapters outline very lucidly the anthropologist's conception of "social life," and show what sort of information he considers essential for his work. These chapters provide a much-needed corrective to the ideas that many amateurs still have about the nature and scope of social anthropology. The concluding chapters, on " Description and Analysis " and " The Technique of Investigation," are excellent as far as they go ; I particularly welcome the insistence upon the collection of statistical data and other forms of " concrete documentation " as a means of corroborating generalizations, whether made by the Africans themselves or by the fieldworker. My only criticism is that these two chapters might have been illustrated more fully by instances of such documentation, in order to show the reader how really important an instrument of method it is. However, this is a minor criticism, and does not detract from the outstanding value of the contribution made by Mr. and Mrs. Wilson towards the use of scientific method in anthropological fieldwork.

Mr. Culwick's paper is a well-reasoned and ably documented plea for the exercise of discrimination and restraint in any attempt to foist European moral codes on African peoples. He points out that the Africans have their own moral standards, and urges that these should be objectively studied and appraised in terms of their " survival value," instead of being condemned off-handedly merely because they differ from our own. The greater part of his text is devoted to an analysis of such standards in the spheres of religion, tribal obligations, and family relationships, and he gives many instances of conflict arising from unwise interference with the traditional code by missionaries and others. Mr. Culwick refers also to the changes now taking place in our own moral standards, from which he draws the conclusion : " A new world is being built up in Europe as in Africa, and it is no act of true benevolence to bestow on the latter notions which, let alone being incompatible with her own and disruptive in their effects, are obsolescent in the present stage of European evolution " (p. 12). There may be some who will resent this conclusion, but few who are concerned with modern problems of culture contact in Africa will deny that Mr. Culwick has put forward a very strong case to support his contentions.

I.S.

Five Points for Africa. By MARGARET WRONG. 1942. London : *Edinburgh House Press.* 150 pp. 2s. 6d.

In December 1940 a letter appeared in the London *Times* over the signatures of the Archbishops of Canterbury and York, the Archbishop of Westminster and the Moderator of the Free Church Council. It stated that the present evils in the world were due to the failure of nations and peoples to carry out the laws of God, and that no permanent peace was possible in Europe unless the principles of the Christian religion were made the foundations of national policy and of all social life. It went on to indicate five basic principles laid down by Pope Pius XII for the ordering of international life. They are, in brief, the abolition of extreme inequalities of wealth, equal opportunities of education, the safeguarding of the family, the restoration of a sense of vocation in man's daily work and the sharing of the resources of the earth.

Miss Wrong has set out to demonstrate how these principles should apply in a re-ordered Africa. We have come to expect a useful contribution to the study of African affairs whenever Miss Wrong writes about Africa and this is no exception. Her style is lucid, her matter well-arranged, and her points reinforced by a skilful use of illustration and quotation. Her composite picture of present-day conditions is an accurate one and her conclusions are convincing.

It is clear that, without regard to the various intentions of the governments of Africa for post-war reconstruction, the African is on the move. The dogs will bark without doubt, but nothing can stop the caravan from moving on. It is not only that in African imagery, " the tortoise has been helping the elephant." History shows few strong impulses of gratitude. What is more significant is that 100,000 African soldiers will return from the ferment of war with new horizons and new aspirations. Lands fit for heroes to live in will not grow up overnight in the eroded veld or the equatorial forest, but those concerned with African development, governments and missions, may find that the old apathy in the villages has made way for real co-operation in plans for social and economic progress.

A kind of *blitzkrieg* on a continental front on disease, poverty and ignorance has been advocated by Joyce Cary in *The Case for African Freedom.*

Miss Wrong emphasises, as she has done before, the paramount importance of the family unit in any campaign for the betterment of conditions of life in Africa; and indicates the forces that are disrupting the cohesiveness of traditional family life.

A pre-requisite of post-war planning for Africa is an analytical survey of present conditions and the past from which they have sprung. This Miss Wrong provides. The whole basis is a Christian one and assumes the closest collaboration between missions and governments, an essential condition of any comprehensive scheme for African development. (There are, however, many millions of Moslems for whom the Christian message has little meaning, but who would presumably share in schemes of advancement based on the broadest humanitarian principles and implemented by government agencies.)

These then are the foundations upon which the New Africa must be built. In some minds, particularly amongst emergent Africans, there is doubt whether a strong and lasting edifice can be built on the foundations of tribal institutions as they exist at present. This, however, is a problem that affects especially British Colonial Africa and there are growing signs that its dangers are appreciated.

The value of this book is enhanced by maps, appendices, and a particularly useful bibliography.

CONRAD OPPER.

Some Venda Folk-tales, edited with English translation and notes by G. P. LESTRADE. 1942. Cape Town: *University—School of African Studies.* 74 pp. 3s. 6d.

Hitherto the only examples of Venda folk-tales which have been published are ten stories in the vernacular only in *Ndede 'ya luambo lwa Tshivenda*, one tale in Schwellnus' *Mudededzi wa vhana vaha Venda I*, and six tales with German translation in F. Kruger's *Venda-Märchen* in Vol. XXIV of the "Zeitschrift für Eingeborenen-Sprachen" (pp. 1-14). These seventeen tales, edited by Lestrade, are therefore very welcome. The Venda text was written down by a Venda teacher, Mr. W. M. D. Phophi, and the English translation aims at an intermediate type between the extremely literal and the extremely idiomatic. The translator could have afforded to approach the English idiomatic rather more closely than he did, for it is probable that this work will be used by students of Venda who will already be cognisant, to a certain degree, of Bantu peculiarities. Some extremely interesting tales are included in this collection; particular mention may be made of "The Verandah-pole which changed into a woman," a charming metamorphosis tale. The notes appended are mainly philological.

C.M.D.

The Tyranny of Colour. By P. S. JOSHI. 1942. Published by the Author, 40 Bree St., Johannesburg. 318 pp. 12s. 6d.

This book attempts "to describe the historical events of a century and dispassionately comment on more than sixty discriminatory enactments against the Asiatics in South Africa since 1860." Mr. Joshi has certainly run a selective eye over Colonial, Republican, Provincial and Union statute books of the past 80 years, and in an appendix he sets the titles (not always very accurately) of 64 pieces of South African legislation which he labels "anti-Asiatic." It would seem to many that he has interpreted the phrase "anti-Asiatic" in a somewhat over-zealous and hyper-sensitive manner, for amongst the enactments he deplores are such neutral-seeming laws as the Rural Dealers Ordinance of 1924, the Wage Act of 1925 and others.

But for Mr. Joshi to call his commentary dispassionate betrays the extraordinary attitude with which he approaches the subject. Indeed, the emotional extravagances which litter almost every page, combined with a certain unfamiliarity with English usage (the work is an adaptation from the Gujurati) make reading very difficult. Surely the Indians in South Africa have a good enough case for better treatment to render overstatement and vituperation unnecessary.

In setting out in a fairly logical and coherent form the salient features of Indian history in South Africa from the earliest indenture days of 1860 up to the sitting of the Union Government's Penetration Commission in 1941, Mr. Joshi has performed a valuable service. He has outlined the political circumstances of the Indians' entry into Natal; the growth of both the indentured and the immigrant communities; the accentuation of racial intolerance with the growing size and power of the Indian group as the nineteenth century closed. Perhaps the section that follows is the most interesting in the book. Culminating in 1914 with the Smuts-Gandhi Agreement which ratified the new immigration policy, it covers the period during which anti-Asiatic feelings were growing more vocal and explicit: the imposition of a residential tax of £3 per head on "free" Indians (1893), loss of the franchise (1896), immigration restrictions in the Transvaal (1903), and the beginnings of two features which have continued to this day to be the main legislative and executive threats of the European majority—segregation and the restriction of trading licences. And over the whole scene, rose the figure of Gandhi, developing a personality of tremendous power and forging and experimenting with the new weapon *satyagraha*, non-violence, passive resistance.

The 1914 Agreement was a compromise which had bought certain guarantees for the South African Indian population at the cost of closing the door to new immigrants. In subsequent years these two principles—recognition of the Indian community in the Union and the severance of its connection with India—have worked themselves out to a logical conclusion, though not without a struggle on the part of both the Indians and the Union Government.

Reconciled, perhaps finally, to the fact that a quarter of a million Asiatics are the basis of an integral part of her population and an inescapable responsibility of her government, the Union has, since 1935, turned the Indian problem increasingly into a purely domestic one, and the final step in this policy was achieved in 1941 when the "Agent-General in the Union" became the "High Commissioner for India," thus severing the previous political link between the South African Indian community and the Indian Government.

As a purely domestic problem, Indian-European relations are likely to be influenced more and more by the current political philosophy concerning interracial matters in the Union. Segregation is no new policy for the Indians, especially in the Transvaal, and one of Mr. Joshi's objects in this book is an unravelling of the intricacies of the residence-trading-licence-land laws of the Union and the Provinces. In Natal, the most recent manifestation of race attitudes has resulted in new legislation against residential penetration there and against trading in the Transvaal. So the struggle continues. Although the Union may think that it has been reduced to a purely domestic issue, it is, as Mr. Joshi points out, far greater than that. It is bound up with the political status of India herself, with the policy of the Imperial Government, and nearer home, with the race attitudes being evolved throughout the rest of Africa, especially in such territories as Kenya and Southern Rhodesia.

Mr. Joshi has presented a case and in no uncertain terms has passed judgment on White civilisation in its contact with colour. He has condemned European policy in South Africa, the resultant race attitude and the social structure which has emerged from it. He is not the only one to interpret South African history in this way, and it is good that we should be able to know exactly what others are thinking.

R. H. SMITH.

Is The South-West African Herero Committing Race Suicide? By W. P. STEENKAMP. 1942. Published by the author, c/o Houses of Parliament, Cape Town.

"The Herero is a proud nation-conscious Bantu race. He looks down with contempt on his neighbours the Nama (Hottentot) and the Mountain, Stone, or Sand-Damara."

"Final honour for the discovery of Hereroland with its proud people existing on a practically exclusive diet of milk and meat went to a man who did not go there for gold and cattle but to give himself and with him his message of peace and love and civilization. This was the missionary Schmelen, a German by birth but sent out by the London Missionary Society."

"In the year 1904 the Herero rose against the German rule and occupation. . . The results for the Herero were most terrible and most disastrous."

In 1894 the Hereros numbered 80,000. In 1911 they numbered 15,130. How was it done? Dr. Steenkamp quotes an official report as follows: "Page 94. 'Lt.-General von Trotha had given his so-called extermination order whereby his troops were ordered to give no quarter to prisoners and to shew no mercy to man, woman or child.' Page 98. 'After von Trotha had been recalled to Germany and surrender with life was again made possible, the Germans resolved to use the prisoners, both men and women, to work as labourers on the harbour works of Luderitz Bay and on railway construction . . . . these poor wretches had been forced to surrender through hunger and starvation. . . On page 100 we read the evidence of Hendrik Fraser : ' When I arrived at Swakopmund I saw many prisoners who had been taken in the then still proceeding rebellion. There must have been about 600 men, women and children. They were in a barbed wire fence on the coast. Women were forced to labour like the men. The sand there is deep and heavy. The women had to load the sand on wagons and lorries and to pull full-loaded Scotch carts to the 10 kilometers further situated Nomndas. They were inspanned before these vehicles like mules and oxen."

" One section of our nation," said a Herero to the writer, " one section of our nation fled under our chief Samuel Maherero through the Kalahari desert to Khama, the king of the Bechuanas. What they suffered cannot be described."

" Eugene Marais, the South African writer, has given a description of this flight of Samuel Maherero and his people through the desert. Only a heart of stone can read about this epic trek without the deepest emotion. Khama heard of the expedition and sent wagons and pack-oxen with water and guided them to the nearest water hole."

The Hereros have never recovered from those terrible experiences. They are increasing but slowly in numbers and the birth-rate is declining. Many of the women are sterile because of venereal disease.

The physique of the people suffered greatly when the Imperial German Government in 1907 prohibited the Natives of South-West Africa from possessing large stock. " The staple food of the Herero now is rice, which in the polished form as it is sold in South Africa, possesses no vitamin at all." Artificial abortion is also widely practised. The contrast between their present and their former state is said to have so taken the heart out of the once proud, land-owning people that they have little interest in prolonging the life of their nation.

Dr. Steenkamp has not much faith in clinics. He advocates propaganda at initiation schools, conducted by specially trained African male and female nurses. (In other parts of South Africa and in Central Africa missionaries have tried this method with considerable success). Also a State medical service for Natives, run largely by Native doctors trained in Africa.

This great-hearted writer ends with a passionate appeal on behalf of the Herero people. " The Hereros were . . . at least a thousand years before us in this country of ours. . . . They have therefore even more right to its blessings than we. In any case have we as a civilized nation not a duty to perform, a responsibility, towards them ? May we allow the work of the noble missionaries amongst them for the last three-quarters of a century, work done with the greatest and noblest self-sacrifice, to be wasted and destroyed ? " It is right to add that the missionaries who have given such splendid service have been Germans.

N.M.

CONTRIBUTORS TO THIS ISSUE

Mrs. Hilda Kuper is acting lecturer in social anthropology in the University of the Witwatersrand, Johannesburg. She has done field work in Swaziland.

Dr. F. J. Language is lecturer in Native law and administration in the University of Stellenbosch. He has done field work among the Tlhaping and the Pro Ecclesia Press has just published his book, *Stamregering by die Tlhaping*.

Mr. W. F. P. Burton has had very many years' experience as a missionary at Mwanza in the Belgian Congo.

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TLOKWA[1] RIDDLES

By GODFREY NAKENE

ORIGIN OF RIDDLES:

Riddles are a variety of enigma or puzzling question to be solved by guessing, or a statement with a hidden meaning, which is discovered or guessed by the person to whom it is addressed. The term has been extended to cover any proposition that is ambiguous, or anything puzzling, uncertain in its meaning or intricate. The earliest-known riddles were those propounded by oracles and bards and were of a serious character. They were genuine enigmas, now sometimes called sense riddles ; but today the term is applied to less serious forms.

There are riddles in the Bible, and the story of Samson (in Judges XIV, 12-14) is a good example: " And Samson said unto them, I will now put forth a riddle unto you : if ye can certainly declare it me within the seven days of the feast, and find it out, then I will give you thirty sheets and thirty change of garments : But if ye cannot declare it me, then shall ye give me thirty sheets and thirty change of garments. And they said unto him, Put forth thy riddle, that we may hear it. And he said unto them, Out of the eater came forth meat, and out of the strong came forth sweetness. And they could not in three days expound the riddle."

Among the ancients, the sun, the moon, the rainbow and especially the wind were the objects of riddles. "What flies for ever and rests never?" was a riddle referring to the wind.

In Grecian mythology, we find the famous riddle of the Sphinx. " What animal goes on four legs in the morning, on two at noon, and on three in the evening ? " When Oedipus guessed the answer—Man, the Sphinx took it so much to heart that she killed herself.

In the lower cultures, riddles propound real problems for solution ; they describe persons or things in a metaphor ; and the answer must discover the meaning. Thus riddles are used as a means of education, and even as serious tests of intellectual ability.

Riddles are also found among civilised people in the form of nursery rhymes. A well-known one is " Humpty Dumpty."

" Humpty Dumpty sat on a wall ;
Humpty Dumpty had a great fall.
All the king's horses and all the king's men
Could not put Humpty Dumpty together again."

This is sung to entertain little children in modern times, but it has a puzzle in it ; hence it is classified in the same category as riddles.

It would not be far wrong if crossword puzzles and jigsaw puzzles were also classed as riddles. We conclude, then, that, although riddles are used as entertainment, they act as a test of intelligence to the young folk.

The present study concerns the riddles of a Northern Transvaal Sotho-speaking tribe called the *Batlôkwa.* These people live in the north-eastern part of Pietersburg. They number several thousands. In the eastern part of their district are the *Balobedu baha-Motšatši ;* on the northern side are the *Baveṋda*, and on the southern, the *Baxananoa.* The following collection of riddles includes some from other dialects of Northern Sotho.

WHEN PLAYED AND BY WHOM :

Among these people riddles are never used by old folk. They are generally said to be used by the uncircumcised young men, *Ke dilô tša mašoboro.* Any adult, who incidentally joins young people in this sort of game, does so only to demonstrate to them how it is done.

I discovered that the older people did not know many of the riddles. Whenever one asked, one was generally directed to younger people. One old lady remarked, *U ya re thšwênya : dithai ke tša bana* (You are troubling us : riddles are things for the young folk). Among these tribes there is a division in almost everything—labour, entertainment, food and also ordinary play. There is always a clear cut between the interests of the older people and those of the younger.

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[1] Tlokwa is a dialect of Northern Sotho.

The Tlokwa differ from the central African tribes in that all riddles can be played at any time of the year; whereas among other races certain riddles are played at certain periods of the year. The main deciding factor is the weather. Riddles are mostly used in winter when it is too cold to play games out of doors. Generally a big fire is made in the kitchen, *ka sehlakeng*, and the young folk come round it in groups to play riddles. They sit round the fire until 10 or 11 p.m. This is called *ho etiša*. Both boys and girls take part in the game. Of course, in summer when it is hot the young people play out-door games.

It is the girls who specialise in riddles; boys quickly lose interest. It is taboo, *ho ya ila*, to play a game of riddles during the day. Riddles can only be played in the evenings. It is said that anyone who plays them during the day will become a fool.

METHODS OF PLAYING:

The whole pleasure of riddles lies in the method by which they are played. This is done in a sort of team system. Young people divide themselves into two rival groups. One group will propound a riddle and if the other group is unable to find its meaning, it must in turn propound a riddle. But if the riddle is known, the person who put it is bound to put another until he can puzzle the other group. One who knows more puzzling riddles is said to be the champion and is highly honoured as an intelligent man. Of course, the more often riddles are played the less puzzling they are. What is really wanted is not the number of riddles one can have in store, but the number of puzzling riddles one has.

The following is the method of presentation:—

A—*Thai: Kxomo yešo ya wêla seretseng ka šala ke thswere ka mosela* (My father's ox fell into the mud and I remained holding its tail)—to which the answer is *Lefehlo* (a stirring stick).

B—does not know it; hence he buys it.

Kea e rêka (I buy it).

Thai: Sa ntula kxareng (It sat on my chest).

A—*Ke thai!* (It is a necktie).

B—*We nepile* (You have got it).

B buys it, but if A keeps on giving the right answer, B is bound to propound more riddles, until his store is exhausted.

ROLE OF RIDDLES:

"The devil finds work for idle hands." Riddles, apart from the amusement they give to boys and girls in the evening, serve to keep them intact morally. In olden days, when riddles still played a great role in the life of the people, very few cases of immorality occurred. In the evening, instead of young people indulging in sexual affairs and theft, they were absorbed in the play of riddles. Hooligan gangs and house-breaking at night were not to be found. To-day among the detribalised, Bantu boys and girls cannot come together without evil consequences. What kept the young was the amusement part of the riddles. To-day the Tlokwa young people have no cheap entertainment. They cannot come together and enjoy the evenings. Instead of riddles, we have bioscopes which are a danger to a people that is in its transition stage; moreover, some of the young people cannot go to bioscopes because they have no money, and the only alternative is to go out for evil in the night. From the educational standpoint, riddles train a young man's mind to think quickly. Some of the riddles require deep reasoning. For example: *Tšanki le Tšankana dia kitimišana, 'me Tšanki ha e thšware Tšankana.* ("If two things chase each other and never catch each other what are they?) —*Maotwana* (Wheels of a wagon or bicycle).

Some of the riddles do not require any reasoning, only knowledge; they must be taught in order to be known. Riddles can also be used in schools for teaching subjects such as History and Geography. In Geography such questions could be asked:—

Thai 1. *Motse o moxolo o fetang metse e meng* (A big town bigger than all other towns)—Johannesburg.

2. *Se mjakang metsi le letšatši le le lentši* (That which wants much water and heat), to which the answer might be "cotton."

These questions were asked to a Std. VI class which showed much interest, and if this system could be followed it might give good results. Educationalists believe that the greater interest students have in a subject the more easily can it be mastered.

THE LANGUAGE OF THE RIDDLES :

The language used in these riddles is good, and it will only be preserved if they are taught to the next generation. Some of the words used in them are now unknown. Such words as ***nkekenene*** (round), ***sedibêlô*** (a calabash for fat), ***thiswana*** (a small clay dish), ***medupi*** (rain that falls continually), ***kxati*** (a game of skipping), are rarely heard in common discussion. The beauty of the language is gradually declining and, unless this is restored, the language will suffer. The best speakers of the Tlokwa language are those people who are not detribalised, but are still connected with speakers of the original Tlokwa language, more especially those who still indulge in the initiation ceremonies, such as circumcision (*xo rupa*) for boys, and initiation ceremonies for girls (*kxôpa* and *byale*). Here the language usually spoken is that connected with riddles ; for instance fire is called "a lion" (*tau*). A young man who has been circumcised will always speak to his comrade, who is also circumcised, in a strange language that cannot be easily understood by those who are not circumcised. If two young people are compared, one a Christian and the other a circumcised heathen, it will always be discovered that the one who speaks the best idiomatic Tlokwa is the latter. The reason is that he has had a good chance of using an archaic language in the circumcision ceremonies and also the chance of riddles in the evenings during leisure time.

Riddles are a fountain of idioms in Tlokwa. Note these :

1. *Nthso ka kiba mmutlêlê ka kokomôxa. Nthso* is an ox but it is called "the black." This word *nthso* is really a praise term for an ox.

2. *Ke thadile thšemo* (I have cut trees in a field). *Thadile* means "cut," but the proper word for "cut" is *rêma.*

3. *Bommane ba bina mothšakxahla ka ntlong. Mothšakxahla* is a rarely-used word meaning "a dance."

4. *Ko-lo-bê manthšikiri mo tla ka thoko ya Sebyane.* The word *manthšikiri* explains very clearly the idea of "hairy."

5. *Ka ya Bopedi ke êtêtša bokxônôngônô ka boya ke êtêtša bokxônôngônô. Bokxônôngônô* means "many thousands of little things." This of course means "toes."

The language used in these riddles is typical of the Tlokwa people. In olden days, among the BaTlokwa everything in the home belonged to the father, as the head of the family. The following riddles express this custom clearly :

1. *Tlonki tšešo me lôngwana me thšungwana* (My father's donkeys with white mouths).

2. *Kxomo yešo ka ntlê ke ye talana* (My father's ox is green outside).

3. *Kxomo yešo e fula e e thswa* (My father's cow does not keep what it grazes).

4. *Telô ya bopapa* (My father's dish).

5. *Namane ya papa e axetšwe ka kôtana tše thšweu* (My father's calf has a kraal built with white poles).

6. *Kxomo yešo e rota ka mpa* (My father's cow urinates through the stomach).

7. *Kxomo yešo e sepela ka maoto a mane* (My father's cow walks on four legs).

8. *Mokoko wešo, se lla ka dithsela* (My father's cock crows through the feathers).

9. *Thêkxwana ya bopapa ye khwibidu* (My father's red tin).

10. *Kxomo yešo e wetse ka ledibeng ka šala ke e thšwere ka mosela* (My father's cow fell into the mud and I remained holding its tail).

Everything pertaining to possession must be connected with the father who is the head of the family. If a young man goes to work and buys a goat or cow, these belong to the father who will in time get him a wife. Perhaps that is why young men respect their parents.

Another interesting feature of the language in these riddles is the common use of the diminutive throughout. This is easily explained when it is understood that riddles belong to the boys and girls, to young people; therefore everything connected with them should be either small or young; an ox becomes a small ox. Here are some examples:

Thêkxwana (from *thêkxwê*, a tin for snuff), *thôkana* (from *thôka*, a kerrie), *nt̂lwa* (from *ntlo*, hut), *sekxekolwana* (from *mokxekolo*, old lady), *thupana* (from *thupa*, stick), *moryana* (from *more*, tree), *tselana* (from *tsela*, road), *nkxokolwana* (from *nkxokolo*, round), *melôngwana* (from *melomo*, mouth), *kxalabyana* (from *kxalabyê*, old man).

Riddles are an expression of what people see in their environment. In reading the riddles of the BaTlokwa one can quickly know of the geography of the place; names of mountains, towns and villages are included in the riddles. One can hardly find the name of a town far from the district in the riddles. The following are some of the names appearing:

Mokomene (a kraal of chief Ramokxopa of the Tlokwa tribe); *Mphakane* (a mountain round which the paramount chief of the BaTlokwa-Machaka has built his village); *Tswêtla* (Vendaland); *Bopedi* (East); *Polokwane* (Pietersburg); *Moletsi* (a place in the north-western part of Pietersburg where chief Moloto lives); *Bokxalaka* (Rhodesia).

THE ORIGIN OF THE WORD "THAI":

This word comes from the word *thaila*, to sail or swim quickly. When a tadpole, *tolotsane*, swims fast, we say: *E ya thaila.* Among the Tlokwa, when a man dances well in the Native dance, they say: *O ya thaila*, that is, he dances from corner to corner gracefully. A tadpole swimming darts so quickly that nobody knows to which side it will go next. It keeps people guessing what the next movement will be. Hence in riddles, people have to guess the answer. In Afrikaans they are called "raaisels" from "raai," which means "guess," and now most of the people in the Orange Free State and parts of the Transvaal call riddles, "raai-raai." The way in which the word *thai* is used suggests that it means "guess." It is generally drawn out in order to give the other man a chance to guess, e.g. *Thai-i-i sa ntula kxareng!*

Among the Tswana, instead of *thai*, they say *Ikxethele phoofolo* (Choose an animal for yourself).

Thaila in Tlokwa is not only used for swimming and dancing, but also for a shooting-star. When a star, on a dark night, flies from one place to the other, it is said, *Naledi e re thaii* (the star flies quickly). When a star flies we generally do not know where it will stop, and we keep on guessing its destination.

Among the Venda, the word *thai* is also used for riddles.

Another possible origin of the word *thai* is *thala* meaning "to swim." If a person or a fish swims, it is said *O ya thala.* But if he swims very fast and well, it is said, "He goes *thai thai.*"

The other meaning of *thai* is connected with *thala* (draw a line); e.g. *thala mohlala o re thaii* (draw a line and say *thaii*).

Thai-i (riddles) may therefore be derived from any one of these words. But it is most likely that it is derived from *thai*, of swimming.

(A) NATURAL PHENOMENA

(1) Fire and its effects

1 *Thaba Khubedu thabe Leotê.—Mollô.*
Red Mountain and mountain Leote.—Fire.

2 *Rêtê la bo-koko xa le kotangwe ke selabe.—Mollô.*
My grandfather's testicles cannot be touched by a fly.—Fire.

3 *Molfiri o nyaka nama.—Mollô.*
Molfiri wants meat.—Fire.

4 *Sepana la bokoko xa le dulwe ke selabe.—Mollô.*
My grandmother's excrements on which no fly can sit.—Fire.

5 *Koko o hwile kxalê, ra bôna ka dikxêkxêthwana.*[1]*—Hlaxa.*
My grandmother died very far away, and we saw it by pieces of her clothing.—Wild fire.

6 *Kxonong pele thswana moraxo.—Hlaxa.*
Red in front and black behind.—Veld fire.

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[1] v.l. *Koko o hwile Bokxalaka, ka bôna likxakxathana* (My grandmother died in the north, and I saw her pieces of calabash).

7 *Ka ntehe sehlakanthša ntlo.—Lekxantlêlê.*
It is only one, but it fills the whole house.—A candle (which lights the whole house).

8 *Lerumô la bopapa le rupula ntlo.—Moši.*
My father's assegai pierces the house.—Smoke.

9 *Ka re ke le fano ka re mme thšolla.—Moši.*
Being here, I said mother pour out.—Smoke.

10 *Monna moleele.—Moši.*
A very tall man.—Smoke.

11 *Pula yana matsôrôtsôrô ngwana Molope a tšwa a yo šêla.—Moši.*
The rain fell in torrents and Molepo's child went out to look for food.—Smoke.

12 *Mošimane molelele mosuxa nakedi.—Moši.*
A tall boy who turns the skin of a rabbit.—Smoke.

13 *Monna wa xešo yo a sathapeng.—Moši.*
Our man who does not get wet.—Smoke.

14 *Ka dithšêla maokaneng tša boya tša mpharaphara.—Molôra.*
I spread them on the compost and in turn they sprinkled on me.—Ashes.

15 *O ikomaletše putswanyana.—Šotholo.*
A grey-headed man is sitting sorrowfully.—A heap of ashes.

(2) Heavenly Phenomena

16 *Ke anexile mabêlê a ka a tsoxa a se xôna.—Dinaledi.*
I spread my corn in the open and found it missing the following day.—Stars.

17 *Ke anexile bošašane byaka tlapeng kare ke tsoxa ka khumana bo šexô.—Dinaledi.*
I spread a little seed of plant on a rock and could not find it the following day.—The stars.

18 *Sekxekxeukxe sa Barôka.—Letšatši.*
A round thing from the east.—The sun.

19 *Nyôba ya Hlabini manatefa le xo baba.—Letšatši.*
Hlabini's[1] sweet-cane is sometimes sweet and sometimes bitter.—The sun.

20 *Thêkxwê khubedu ya Bopedi maxoši ka moka a ellêla.—Letšatši.*
A red snuff tin from the east is wanted by all the chiefs.—The sun.

21 *Nyôba ya marexa motlefa sekxaba.—Tšatši la marexa.*
Winter sweet-cane is nice.—The sun in winter.

22 *Bakxalabyê ba babedi balwa lexodimong.—Ngwedi le letšatši.*
Two old men are fighting in the sky.—The sun and moon.

23 *Telô ya bo-papa sebêtlwa ke badimo.—Ngwedi.*
My father's wooden dish carved by gods.—The moon.

24 *Sebete sa Kolobêrê.—Ngwedi.*
Kolobere's liver.—The moon.

25 *Boswa bya modiša sekekemana.—Ngwedi.*
The herd-boy's porridge is glittering.—The moon.

26 *Kxomo e nthso kae le kae.—Lehodimo.*
The black ox is found everywhere.—The sky.

27 *Telô ya bo-mma le ya bo-papa di a lekana.—Lehodimo le lefatse.*
My mother's wooden dish and my father's are equal.—Heaven and earth.

28 *Mohlanka wa lebelô.—Tladi.*
A fleet-footed young man.—Lightning.

29 *Kxowa le dutse mose a noka le re " Gooi water."*[1]*--Lexadima.*
A European is sitting beyond the river and saying, " out water."—Lightning.

30 *Papa a boya makxoweng re bôna ka seipone.—Lexadima.*
When father comes back from the south we see by the mirror.—Lightning.

31 *Seôka sea lewatle.—Maru a pula.*
A brave man moves on the sea.—Clouds.

32 *Mankatikati le dithaba. Maru.*
That which goes up the mountains.—Clouds.

33 *Baloi ba bina metlweng.—Marothi a pula.*
Wizards are dancing on the thorn.—Drops of rain.

34 *Kare ke tsoxa ka khumana kxomo tšešo tše thšwanadi rile phatla.—Phoka.*
When I got up in the morning I found my father's white cattle having spread all over.—Dew.

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[1] Hlabini is a district in the north-eastern part of Pietersbury. People in this district are very fond of sweet-cane and sugar-cane.

[1] Note the Afrikaans interposed.

35 *Mabudi mašweu mafoloxa thaba.—Kapoko.*
The white goats are descending from a mountain.—Snow.

36 *Selete se tletse kxakabyê.—Sefako.*
A valley is full of white stones.—Hail.

37 *Sekxekolwana sa Batlôkwa se fofa se êmêlêla. Phefô.*
An old lady of the Batlokwa stands and jumps.—Wind.

38 *Sekxokolwana sa borwa sa fofa sa ikudubetša. —Sesasedi.*
An old lady from the south who jumps very high.—Hurricane.

(3) Miscellaneous

39 *Mokxekolo wa lefatla khwidiring.—Mohobê.*
An old lady with a mark in the bush.—Lake.

40 *Ka se xata sa nkxata.—Metse.*
I stepped on it and it also stepped on me.—Water.

41 *Tliša letswa re kxokê ncwa-ncwae e ya xana.—Metse.*
Bring the rein and let us tie *ncwa-ncwa* and *ncwa-ncwa* is refusing.—Water.

42 *Kakampa-kakampa ka tswalêla kae ?—Thaba.*
I keep on going along where shall I bear ?—Mountain.

43 *Ke modidi ke tlo diane ?—Lefika.*
I am poor what shall I do ?—Stone.

44 *Setaba-taba le malapa.—Mafikana.*
Something all over the courtyard.—Small stones.

45 *Tšiboxô ke la modubu la mosêhla re thšaba ho sêhlêfala.—Mohlaba.*
We prefer a pool with *modubu*[1] trees to that having *mosetla* trees, because it can make us grey.—Sand.

46 *Pula ena medupi 'me lexopana la borwa xa le tlale.—Molete.*
The rain is falling continuously yet it cannot fill a vessel from the south.—Hole.

47 *Morokolo o lefifi ha oya ho ôôna o beta pelo.—Mabitla.*
A dark garden when you go to which you are bound to be remorseful.—Graveyard.

(B) DOMESTIC REQUIREMENTS

(1) Food Stuffs

1 *Banna šeba mo kxorong ba šitwa ke hlôxô ya katila.—Letswai.*
Men in the kraal are unable to finish the head of an animal.—Salt.

2 *Ke fosa hlôxô Kxatlêbyê.—Letswai.*
I throw Kxatlebye's head.—Salt.

3 *Morula wa xešo o omile ka xodimo ka fase re nwa metsi.—Maswana.*
Our tree is dry on the top but under we have water.—Milk.

4 *Se se bose ka sethepeng.—Maswana.*
Something delicious in the calabash.—Milk.

5 *Kare phaša lekxwareng.—Mohlaba.*
Something in a stony place.—Yeast.

6 *Morenyana wa mphumphana re fula re dutše fatse.—Boswa.*
A shrub of a tree which we pluck sitting down.—Porridge.

7 *Nyôba yešo mo tlampa wa banenyana.—Makhura.*
Our sweet cane which is used specially for girls.—Fat.

8 *Bo-mmane ba bina mothšakxahla ka ntlong.—Likôkôrô.*
My aunts are playing miracles in the house. —Mealie-grains being cooked in the pot.

9 *'Ma tswalêla ntlo re ralokê.—Likôkôrô.*
Mother close the door and let us play.—Mealie-grains cooked.

10 *Tswale-lang monyako re binê re ôpê mahofi.—Boxôbê xe bo kxakxatha.*
Close the door and let us dance and clap our hands.—Mealie-meal in boiling water.

11 *Mma-moxolo, tswalêla re fula maruputlana.——Pitša e kxakxatha.*
Aunt, close the door and let us pick sand-apples.—Mealie-meal in a boiling pot.

12 *Se se šweu 'šupeng la Kônkô.—Bopi.*
Something white at Konko's ruins.—Mealie-meal.

13 *Sethšweu paneng.—Bopi.*
A white thing on the pan.—Mealie-meal.

14 *Thšweu ka wêla nthso ka akomêla.—Bopi.*
The white dropped in and the black peeped out,—Mealie-meal.

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[1] The *modubu* tree is mostly found along the big pools of the rivers in the district of Pietersburg. But the *mosehla* tree is mostly found where there is sand.

15 *Seóka se ya lewatle.—Mabêlê.*
That which makes a noise going to the sea.—Corn.

16 *Ke tše thšweu ka re xe di nthša ya ba e le tše di khibidu.—Borotho.*
They were white and when I took them out they were red.—Loaves.

17 *Ka rêma more, thaxa tšare tseke.—Byalwa.*
I chopped the tree and the nest fell.—Beer.

18 *Leeba le a phuphusêla le kxahla mothei.—Byalwa xe bo bela.*
A dove is healthy and it pleases the man who wants to trap it.—Beer when fermenting.

19 *Pudi ya xešo e tlametswe serapeng.—Lerotsê.*
My goat is tied in a garden.—Pumpkin.

20 *Mmutla setotoma le tsela.—Masohlo.*
A hare that is found all over the roads.—Chewed pieces of sweet-cane.

21 *Pampiri mathšelêtê 'na makxoa a kxôna byang ho ngwala ?—Mamapó.*
Papers like money, how do Europeans know how to write ?—Honey.

22 *Ka fosa hlôxô ya Kxatlêpyê.—Letswai.*
I throw Kxatlepye's head.—Salt.

(2) Household Utensils

23 *Paate le Paate.—Lwala.*
Paate and Paate.—Grinding stone.

24 *Nkwê e ja mabêlê e kamane.—Lwala.*
The leopard eats corn whilst lying on its back.—Grinding stone.

25 *Kxomo ya xešo e wetše ka nokeng ka šala ke e swere ka mosela.—Lefêhló.*
My father's cow fell into a fountain, and I remained holding its tail.—Stiring stick.

26 *Di nwelê Lehlaba tša boya melomo e lê e mesweu.—Lefêhló.*
They drank from the Lehlaba river and their mouths came back white.—Stirring stick.

27 *Kxomo yešo e rota ka mpa.—Kêtlêlê.*
Our cow urinates through the stomach.—Kettle.

28 *Pêrê ya Tlapise e fula byang bya Tlapise e nwa metse a Tlapise.—Ketlele masexong.*
Tlapise's horse eats his grass and drinks his water.—Kettle on the stove (tea and leaves).

29 *Ntike-tike lebalêló thetlo motse ka lexora.—Sebêšó.*
A fence round a village.—Hearth.

30 *Ntlo ya Tswêtla.—Sebêšó.*
A Vendaland house.—Hearth.

31 *Ka hlapa le Mma-ngwale a nkómêla pele.—Sebêšó.*
I washed with Mma-ngwale, and he dried before me.—Hearth.

32 *Sa ntika sa kopo.—Sebêšó.*
Something circular.—Hearth.

33 *Thswara ka fa ke thswarê ka fa re lahliše mpara.—Masêxó.*
Hold that end and I will hold this end, and let us get rid of this ignorant man.—Stones to support the pot.

34 *Tswêtla di tharo fano di tharo.—Masêxó.*
In Vendaland they are three and here they are three.—Stones to support the pot on the fire.

35 *Ka swa ke sutêla.—Masêxó.*
I burnt and kept on drawing nearer.—Stones to support the pot.

36 *Mankxokxo xa a dule madulong a yo mong.—Pitša.*
Mankxokxo does not sit on somebody's place —Pot.

37 *Ka ya ke lla ka boya ke kxotse.—Motšêxa.*
I went complaining and came back satisfied. —Clay water-pot.

38 *Seduletse mma-molomong se batla mma dipolêló.—Motšêxa.*
It is waiting at the door and wishes mother to talk.—Clay water-pot.

39 *Seruputlêló sa pholo e nthso.—Mo xo bewang di pitša.*
A place where bulls fight.—Place used for putting pots.

40 *Koko o na le lehutla mpeng. Lehlóhló.*
Grandmother has a hunch on the belly.—Strainer for beer.

41 *Makxodi morara-ka-nêla phaxong.—Mothse.*
Mokxodi is going into the cliff.—Stamping pole.

42 *Tlonki tšešo melongwana me thšungwana.—Methse.*
Our donkeys have white spots on their mouths.—Stampers.

43 *Sehlare se pele xa kxôrô se palêla banna xo namela.—Lemaxô.*
A tree in front of the kraal but no man can climb it.—Needle used for making karosses.

44 *Kxomo yešo e fula e e thswa.—Moxoma.*
A cow that grazes and regurgitates.—Pick.

45 *Tswêtla dinnê mono dinnê.—Thari.*
In Vendaland they are four and here they are four.—Strings of a cradle.

46 *Bannu ba xešo diaparô tše dithšweu le mengatse e menthso.—Mahlôkwa a mollô.*
Our men have put on white suits and black hats.—Match-sticks.

47 *Sitimêla se tswa Polokwane se thšoloxa diboko hloxong.—Lekxantlêle.*
A train from Pietersburg gives out worms from the engine.—Candle when burning.

48 *Ka bêtha Mothôka a pheama.—Lemati.*
I knocked a Tonga man and he gave way.—Door.

49 *Ngwako wa ntate o nale maoto.—Koloi.*
My father's house has legs.—Wagon.

50 *Ka ya nokeng thele ya kxomo e šo e le kxolo empa ha ke boya yaba e le nyenyane.—Sesepa.*
I went to the river, the udder of our cow being big, but when I came back it was small.—Soap.

51 *Mokoko wešo sella ka dithsela.—Sefepi.*
My father's cock that crows with its claws.—Whip.

52 *Nthso ka kiba mmutedi ka kokomoxa.—Sešixo.*
The dung was knocked by Nthso and expanded.—A hole in the kraal in which corn is kept.

53 *Se dike-dike le thaba.—Dipheta.*
That which goes round the mountain.—Beads.

54 *Ka dikêlêla le thaba ya Mphakane ka tôpa thsekana.—Dipheta.*
I went round Mphakane Mountain and I picked a small dish.—Beads.

55 *Sebaretlane, joko !—Setsiba.*
Black ox get inspanned !—Stertriem.

(3) Musical Instruments

56 *Mokxekolo e moxolo o tiwa ke ngwana alla.—Moropa.*
An old lady who cries when knocked by a child.—Drum.

57 *Ke êma mmoto-molele ke olotša kxwahla.—Patata.*
I stood on the hill and called many people.—A bugle used by Bantu to announce danger or summon a meeting.

58 *Pôhô ya bôpa kwa lešupeng la Kônkô.—Koma.*
The bull bellows at the ruins of Konko.—Big drum.

(4) Various

59 *Ke hlwelê ke šika le noka ke nyaka makxopa a thšilwane a kubiu ôna ke a bone.—Boxadi.*
I always go about the river in search of the eggs of a bird called Thšilwane but those of a hippopotamus are found.—Looking for *lobolo* after finding a girl.

60 *Mafeko a dula, mafeko a tloxa.—Banwi ba byalwa.*
Some sat while others left.—Beer-drinkers.

61 *Xe masoxana a tsêna re sôka dihlôxô.—Tlala.*
When gentlemen come in we turn our heads.—Starvation.

62 *Ka namêla ka kala ka foloxa ka thithong.—Xo ithoma.*
I climbed up the branches but got down the trunk.—To excrete after eating.

(C) PLANTS

(1) Edible Plants

1 *Samma phaša lekxwareng.—Lehotša.*
My mother's thing has spread on a stony place.—Millet.

2 *Ya tloxa i tee, ya boya ele tše dintši.—Peu.*
When it started it was alone ; but on returning they were many.—Seed.

3 *Ka phosa patlana ya ka borupu-rupung.—Peu.*
I threw my stick in the soft ground.—A grain of corn planted.

4 *Moriti wa mpya o teng.—Mabêlê.*
The shadow of a dog is deep.—Corn.

5 *Lea phuphusêla leeba la kxahla le mong wa lôna.—Mabele thšemong.*
The dove is so healthy that it pleases the owner.—Corn in the field.

6 *Thaba ya 'Mabolepô ditedu dia lêpêlêla.—Lefela.*
Mabolepo's mountain has a hanging beard.—Mealie-cob.

7 *Ke hlabile khuneng, ba e bua ka teng ba hwetša ele mexwapa.—Lamune.*
I killed a red ox, and it was skinned ; in it I found pieces of biltong.—Orange.

8 *Moše le Moše.—Lerotsê.*
Moses and Moses.—Pumpkin.

9 *Pholo e nthso e letše lešupeng.—Lerotsê.*
A black ox is lying in the ruins.—Pumpkin.

10 *Se re tampa-tampa sa ya tswalêla mola.—Lerotse.*
It spread far and bore fruit.—Pumpkin.

11 *Phuti yešo e tlametswe se rapeng.—Lerotse.*
My father's springbok is tied in the garden —Pumpkin.

12 *A kxobokane mašoboro ka hlôka le xo tseba lešo.—Marotse mašemong.*
The uncircumcised men are together, and I could not recognise ours.—Pumpkins in the field.

13 *Sea hampa-hampa sea tswalêla kae.—Thaka ya lexapu.*
It goes on and on where is it, going to bear fruit.—Melon plant.

14 *Masepa a thšwene a nkxa sepêtlêpêtlê sa 'makxongwane.—Lexapu.*
The excrements of the baboon smell continuously.—Water-melon.

15 *Sekxekolwana sa Bopedi.—Lexapu.*
An old lady from the north.—Water-melon.

16 *Ka fexolla moxopo wa papa borala ka tla ka šitwa xo ofêxa.*
I took down my father's wooden dish and was unable to put it back.—Water-melon.

17 *Nku tša ka dišika ka nku e thšwaana.—Lexapu.*
My sheep go about with a white sheep.—Water-melon.

18 *Lehlakana se le mo sekxoteng metse ôna lea tšea kae ?—Lexapu.*
Here is a little reed in a dry place, where does it get water ?—Water-melon.

19 *Masoxana a tletše kxôrô.—Maxapu.*
Young men are crowded in the kraal.—Water-melons.

20 *Mala a nku marangrang. Ditloxo.*
A sheep's intestines are mixed together.—Ground nuts.

21 *Mohlatswana wa se phuphana.—Ditloxo.*
Small group of plants.—Monkey nuts.

22 *Mpuphara maanywa ka fase.—Ditloxo.*
A plant that yields under ground.—Monkey-nuts.

23 *Thêkxwana tša Rapopo.—Ditloxo.*
Rapopo's snuff tins.—Ground nuts.

24 *'Mutla mototoma le tsela.—Mameko.*
The hare that runs along the road.—Sweet cane peels.

25 *Monna šo mo kxorong ke kxotla dipôxô.—Nyôba.*
Here is a man in the kraal who pokes bulls. —Cane.

26 *Basadi ba kxoši barile ka le-phose ḣate.—Morôxô.*
The chief's wives are dressed well on their heads.—Vegetables.

27 *Naxa e tala le selemô.—Ditlôrô.*
A perpetual green land.—Prickly pears.

28 *Bana ba Mankoko ba ile ka leêtsana felele.—Morôxô.*
Mankoko's children have the same hair dress.—Spinach.

(2) Other Types of Plants

29 *Ka fexolla thafêlô ya papa ka šitwa xo e fêxa. —Sehlare.*
I brought down my father's clay-pot and now I am unable to put it back.—Tree.

30 *Bana ba Nkete ba bina mmabo ha bine.—Dikala tša sehlare.*
The children of Nkete are dancing while their mother is not dancing.—Branches of a tree (they shake but the trunk is still).

31 *Bana ba Nkoto ba bina xe yêna mong a bina.— —Dikala.*
Nkoto's children dance when he dances.—Branches (they shake if the trunk shakes).

32 *Malome moloma a patlame.—Moutlwa.*
My uncle who bites facing up.—Thorn.

33 *Thata e tšhweu molapong.—Moutlwa.*
A white pole in water.—Thorn.

34 *Dikxomo tša Polokwane*[1] *difula dirobetše.—Mapate.*
Polokwane's cattle graze lying on their backs, —Thorn.

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[1] Pietersburg.

35 *Ke bitšwa ke pula.—Jwang.*
I am brought about through rain.—Grass.

36 *Kolobê matšikiriri motlă, ka-thoko ya Sebyanê.—Jwang.*
A hairy pig of Sebyane.[1]—Grass.

37 *Tholwana boreledi ho dula nna ke tee.—Jwang.*
A slippery thing on which I alone sit.—Grass.

38. *Pêrê yešo e kxwatla di thšweu.—Mahlahla.*
My father's horse with white legs.—A water-plant.

39 *Ke motolo ke motawane ke hlare sa xo dula metsing.—Malêlê.*
It is a green plant that grows in water.—Slime.

40 *Wa se xata sa xo llêla.—Lehlaka.*
You stepped on it and it screamed.—Reed.

41 *Kxomo yešo kantlê ke ye talana ka teng ke ye thšwana.—Lehlaka.*
My father's cow is green outside and black inside.—Reed.

42 *Swara ka moo ke swarê ka fa re bolae ngwana moloi.—Lebalêlô.*
Hold this side and I will hold the other side and let us kill the wizard's child.—Cane.

(D) PARTS OF THE BODY

1 *Papa o na le thšemo e kxolo fêla mabêlê a yôna le lexofi xa tlale.—Meriri.*
My father has a big field but its corn cannot fill the hand.—Hair when cut from a head.

2 *Ke re ke nyaka Tsedintseke xa ke mmone.—Sekxosi.*
I tried to look for Tsedintseke but I could not find him.—The back of the head.

3 *Metse semanama thaba.—Ditsêbê.*
Villages on the side of the mountain.—Ears.

4 *Bašimane ba ba-bedi ba dikela thaba.—Ditsêbê.*
Two young men are standing one on each side of the mountain.—Ears.

5 *Ke na le ba hlankana ba lesome ke tlo ba tseba ka kêfana tše thšweu.—Menwana.*
There are ten young men who are known by their white caps.—Fingers.

6 *Ke roma batsomi ba bahlano sekxweng, ba boya bohle, ba babedi ba rwele phôôfôlô.—Menwana.*
I sent five boys to a forest, they all came back, but two were carrying the animal.—Fingers (the nails with blood after killing a louse).

7 *Bana ba makxowa ba dutše ditulong, ba ile thêlêlê.—Menwana.*
European children are seated on chairs in the same manner.—Fingers.

8 *Sehlaxa sa mmankuku se akumêla bodiba.—Dinthši.*
A bird's nest that hangs over a pool.—Eyebrows.

9 *Diipone mosexare bošexo di a tima.—Mahlô.*
Looking-glasses during the day but dim in the night.—Eyes.

10 *Sediba se se sa phšexo.—Molomo.*
A fountain that does not dry up.—Mouth.

11 *Faxô la moxatša kxoši le tiile.—Mênô.*
The queen's court-yard is strongly built.—Teeth.

12 *Ka pana ka dipholo tša mmala o tee.—Mênô.*
I inspanned the oxen of the same colour.—Teeth.

13 *Lapa la Mma Sekokotlelang.—Mênô.*
The reeds of the court-yard are built close together.—Teeth.

14 *Mafasetlere a mose a dula a sa tswalêlwa.—Nkô.*
Windows beyond remain unclosed.—Nostrils.

15 *Dimpumpu dilô tša bo mma.—Matswêlê.*
My mother's round things.—Breasts.

16 *Thabana dipedi xa xa tsela.—Matswêlê.*
Two mountains in a road.—Breasts.

17 *Sa nthšita ke le mo.—Matswêlê a kxaitsedi.*
It is before me but I cannot get it.—Sister's breasts.

18 *Lehlakana xo têka-têka lea nkxahla nka se le rêmê.—Matswêlê a kxaitsedi.*
A tapering reed attracts me, but I cannot cut it.—Sister's breasts.

19 *Namane ya papa e axetšwe ka kôtana tše thšweu.—Leleme.*
My father's calf has its kraal built with white poles.—Tongue.

20 *Mankoko o lla ka lefarung.—Leleme.*
Mankoko cries in a cave.—Tongue.

21 *Sekxerexetša se le phaxong.—Leleme,*

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[1] Sebyane is a place between Pietersburg and Bandolierkop on the Great North Road.

That which talks much while it is in a cave.—Tongue.

22 *Sekxerexetša se le thotwaneng.—Leleme.*
That which makes a noise on an elevated place.—Tongue.

23 *Thšipa tše hlano di rôbula molete o le tee.—Menwana ya maoto.*
Five buck live in the same hole.—Five toes in a shoe.

24 *Ka ya Bopedi ke êtêtša boxônôxônô, kaba kaboa ke êtêtša boxônôxônô.—Menwana ya maoto.*
I went to the East with something and came back with it.—Toes.

25 *Sedibêlô se tlala kxahla.—Pelo ya thšiwana.*
A calabash that contains fat is full to the brim.—Orphan's heart.

Serithswana nkekenene sa wa fase xa se phyatlexe.—Moraxo.
A little round clay-pot which does not break when it falls down.—Buttocks.

27 *Ka se ja empa ke naso.—Sebete.*
I ate it but I have got it.—Liver.

28 *Hlohlọra bopi re tšeê kxetsi.—Moxodu.*
Empty the mealie-meal and let us have the bag.—Tripe.

29 *Ka lwa le mokotla ka lahla bopi.—Moxodu.*
I fought and kept the bag, and threw away the mealie-meal.—Tripe.

(E) ANIMALS

(1) Domesticated Animals

1 *Mokhufi hlalla ya xaxo.—Bolôkô.*
Mokhufi give me yours, please.—Cow-dung

2 *Setopu Sethswana.—Bolôkô.*
Something black.—Cow-dung.

3 *Setipe sa ngwana morêna.—Bolôkô.*
Setipe of the chief's child.—Cow-dung.

4 *Kxomo šetše ka lešakeng fêêla xa ke tsebe xore yešo ke efe.—Bolôkô.*
Here are cattle in the kraal, but I don't know which is mine.—Cow-dung.

5 *Modimo wa nkô ya metsi.—Pholo.*
God with a watery nose.—An ox.

6 *Sehlaxa sa mašilo seokamêla bodiba.—Thele.*
The nest of a bird is overhanging a deep pool.—Udder of a cow.

7 *Lexadima le pôta motse.—Namane.*
Lightning that goes round the house.—A calf.

8 *Ke modiša wa xale 'me xa senke ke utlwe le šata la tlou.—Namane ka mpeng.*
I am experienced in herding, but never did I hear the tramping of an elephant.—Calf in the stomach.

9 *Ka xodimo xo omile ka fase rekxa metsi.—Kxomo e hamiwa.*
The surface is dry, but beneath we draw water.—Cow being milked.

10 *Wa raxa sesolo.—Xo sepela xa kxomo.*
You kick well.—The moving of a cow.

11 *Kašika-šika le noka ka khumana leoto la rwê.—Kxomo e e mere.*
I went along the river and found the leg of a bird.—A cow about to calve.

12 *Ka hlakana le mmapaponolo se letša mafahla.—Nku.*
I met 'Mapaponolo who suffers from consumption.—Sheep.

13 *Ke hlakane le banna bare hantone hantone.—Nku.*
I met some gentlemen saying, "Hantone, hantone."—Sheep.

14 *More o mo thabeng ore ke malla la xa Selewe.—Mafsi a mpya.*
A tree on the mountain is not edible.—Dog's milk.

(2) Other Animals

15 *Bašimane ba Mokotlo ba feletse ka di patlana.—Mahôtlô.*
Mokotlo's boys are all armed.—Rats.

16 *Hlafana ya ngwanaka e welê borale ya se phumehê.—Lehotlo.*
My son's thing fell but did not get broken.—Rat.

17 *Semele dinaka.—Nôha.*
I do not grow horns.—Snake.

18 *Selônyana selonyana o tsene kae, lešaka ke letswaletše ?—Patšane.*
Tiny tiny where did you get in when I had closed the entrance ?—Tick.

19 *Kxalabyê sa Bopedi seapere dikxêpêtla.—Khudu.*
An old man belonging to the Pedi tribe has put on a hard cover.—Tortoise.

20 *Ha o šika le noka o ka bona leoto la rôtwê.—Hlapi.*
If you go along the river you cannot see a male baboon.—Fish.

21 *Boka-boka lexoleng.—Pêrê ya naxa.*
To go about in the forest.—Wild horse.

22 *Selekeledi moreng.—Thšwene.*
Something hanging in a tree.—Baboon.

23 *Kôta e nthso molapeng.—Thšwene.*
A black post in a river.—Baboon.

24 *Ngwadira o šwetše khwidiring thakxê-rêhla a xae a tletse naxa.—Noko.*
Ngwadira died in the veld, and his rags are distributed all over the country.—Porcupine.

25 *Pula yana mohloro ngaka tša fata ka manala.—Thakadu.*
It was pouring down heavily and the witch-doctors had to dig.—Ant-bear digging holes.

(F) BIRDS

1 *Ka ya ka fa ka boya ka fa.—Kxoxo le ditsuwana.*
I went this way and come back the opposite way.—Fowl and chickens.

2 *Bakxekolwana ba-Moletši ba-koba-koba le malapa.—Dikxoxo.*
Moletši's old ladies are going from family to family.—Fowls.

3 *Kxaka seêma ka leoto serope ntsêtsênênê.—Mphye.*
Guinea-fowl standing on one long, thin leg.—Ostrich.

4 *Mma-dinalêtlê o ya Mphakane.—Mphse.*
Mma-dinaletle is going to Mphakane.—Ostrich.

5 *Ntlo yaxo tloka molomo.—Lekxopa.*
A house without an entrance.—Egg.

6 *Kxomo yešo e tswala ka marapô.—Lekxopa.*
Our cow bears through bones.—Egg.

(G) INSECTS

1 *Setheye o mo kananyana maanô o rutwa ke mang ?—Nothsi.*
Setheye you are so tiny, but who teaches you how to do such wonders ?—Bee.

2 *Moxodi maranakana phaxong.—Dinothsi.*
Something circular in a cave.—Bees.

3 *Monna šo o loxa dithšêxang ka mo šoding.—Dinothse.*
Here is a man who makes baskets in a forest.—Bees.

4 *Se yo kxora.—Dinothse.*
It will be contented.—Bees.

5 *Maisimane le baloi le axa dintlo tša maleke.—Dinothse.*
English people you are wizards, you build zinc houses.—Bees.

6 *Diatla tša kxoši di botse ka xare le ka ntle.—Mamapo.*
The king's hands are fine in and out.—Honey.

7 *Phuthêxô e hwile baxabo ba ile maemong.—Mamapo xa a tserwe.*
The congregation died and the people went for condolence.—When honey is taken away.

8 *Koko o hwile ka lefarung le monkxô xa o kwale.—Nta.*
My grandmother died in a cave but no bad smell is sensed.—Louse.

9 *Monna ka mo-šoding o rêma a xoêla.—Nta.*
A man in the forest cuts while he hides.—Louse.

10 *Kxomo tše nthso tše dulang se kxweng se se nthso.—Dinta ka meriring.*
Black cattle which stay in a forest.—Lice.

11 *Monna mothšene seêpê ka hlôxô.—Nta.*
A man, a machine, and as axe as a head.—Louse.

12 *Makxopa ka fase xa thaba.—Makxai.*
Eggs under a mountain.—Louse eggs.

13 *Ke hlabile kxomo yešo madi a yôna a tlala malapa a mabedi.—Madi a nta.*
I killed my father's cow and the blood filled two courtyards.—The blood of a louse.

14 *Ka hlakana le moxatša Mokotlo a phuta lexoxô.—Lexokolodi.*
I met Mokotlo's wife and she folded a mat.—Millipede.

15 *Borifi bo pele xa kxôrô bo palêla banna xo bo bala.—Lexokolodi.*
There is a letter in front of the gate, but the men are unable to read it.—Millipede.

16 *Barwana ba Mokoto ba khuna sesêkê.—Lexokolodi.*
Mokoto's bushmen are sitting in a manner according to their custom.—Millipede.

17 *Mutla motekiteki maoto ka tia motseke.—Lexokolodi.*
A hare with many feet.—Millipede.

18 *Kleinbooi o rwele setlôkô.—Lekêkê.*
Kleinbooi carries a bunch.—Ant.

19 *Amon o rwele setlôkô.—Lekêkê.*
Amon is carrying a stock.—Ant.

20 *Makxowa a e bitša " komwater."—Lekêkê.*
The white people call it " komwater."—Ant.

21 *Ke hlakane le Radinaletlê a ya Mphakane.—Makêkê.*
I met Radinaletle going to Mphakane.—Ants.

22 *Molehana wa Tswidinki-tswiki o ja ke êna mong Tswidinkitswiki.—Molete wa lekeke.*
The food of the ant is eaten by the ant alone.—Ant hole.

23 *Tselana ntswikitswiki le Borwa e a fihla.——Tsela ya dithsosane.*
A very narrow path that reaches the far south.—Path made by ants.

24 *Tlou e hwile mohlabeng ka sêxa sebete ka tloxêla—Tšie.*
An elephant fell on sand and I only cut the liver and went.—Locust.

25 *Mo ke leng xôna xa se hlokexe.—Ntši.*
Where I am it is also.—Fly.

26 *Sa re kidi sa hlôka le mositwana.—Ntši e wêla ka mafsing.*
It dropped down but no sound was heard.—When a fly drops in milk.

27 *Se ile se re kanakano se tseba xo dira moxala ; na makxowa se a bone kae ?—Sexwa.*
It knows how to make wire as it rolls about ; but where did it see Europeans making it ?—Spider.

28 *Byang bya Nthephe bodulwa ke yêna mong Nthephe.—Lepobe.*
Nthephe's grass can only be used by Nthepe himself.—Cobweb.

(H) MISCELLANEOUS

(1) Modern Articles

1 *Ka bêtla lefêhlô la fihla felô e se kxaufsi.—Lengolo.*
I carried a stirring-stick and it reached very far.—A letter.

2 *Ke thadile thšemo ya mabêlê ka byala a manthso.—Lengôlô.*
I have prepared a field but planted black corn.—A letter (with writing on it).

3 *Nônyana kxolo a moletši e bina dira di kxolo.—Lengôlô.*
Moletsi's big bird dances with enemies far away.—A letter.

4 *Thšweu mpêkê-pêkê makxowa a xana ka sôna.—Lengôlô.*
A small white thing which the Europeans don't like to give.—Letter.

5 *Ke xo botša ditaba ke ile tuu.—Buka.*
I tell you news while I am quiet.—Book.

6 *Mokoko wa toropone sella ka dithsela.—Wathše.*
A cock from town which crows through its claws.—Watch.

7 *Mpi-mpi u le habana makhura wa jêla kae ?—Mpaka.*
Mpi-mpi you are thin, where does the fat you eat go to ?—Knife.

8 *Sa ntula kxareng.—Thai.*
It sat on my chest.—Neck tie.

9 *Ditswa Blue-sky hlôxô di eteletswe ke kolobê ya pôhô.—Setimêla.*
They are from Blue-sky led by a boar.—Train.

10 *Monna e molelele hi ho.—Setimêla.*
A tall man.—Train.

11 *Ke ya nokeng thele ya kxomo ešo ele kxolo empa xe ke boya ya ba nyenyane.—Sesepe.*
My father's cow's udder is big when going to the river but small when coming back.—Soap.

12 *Busmane wa xo hwêla tseleng.—Seêta.*
Bushman who died on the road.—Shoe.

13 *Thso-thso lebelô mohapi wa kxomo.—Baesikela.*
A fast man who can overtake an ox.—Bicycle.

14 *Tšanki le Tšankana ba kitimisana.—Maotwana a paesekele.*
Tšanki and Tšankana are chasing each other.—The wheels of a bicycle.

15 *Kôta e thšweu molapong.—Lebênkêlê.*
A white pole in the valley.—Country store.

16 *Seya kwa eka setla kwano.—Koloi.*
It travels one way but it is as if it goes the opposite way.—Wagon.

17 *Seya tima-timêla.—Môtôrôkare.*
It appears and disappears.—Motor-car.

18 *Kxôtê lefara-fahla.—Kêtwana.*
A round thing with many holes.—Chain.

19 *Lekokotwana la xo fetša jwang le sa none.—Sekele.*
An animal which is very lean but feeds a lot.—Circle.

20 *Sa xoja ka mpa se nyêla ka mokokotlo.—Sekhafo.*
Something that eats through the stomach and excretes through the spine.—A plane.

21 *Ngwana xe a xôhlôla ngwana wa thšaba.—Kolo.*
When a child coughs another child runs away.—Bullet.

22 *Xa tong-tong Mmalepehere.—Mothšene.*
At a place where things are manufactured.—Machine.

(2) Things connected with the Life of Man

23 *Kôtwana la kxwale xo nôna.—Sedibêlô.*
A fat guinea-fowl's leg.—Calabash that contains fat.

24 *Mokxopana molahlwa le tsela.—Sekhuba.*
Pieces of skin that are thrown all over the road.—Cough.

25 *Letsapara la ngwana kxoši le kxahohile matseare basadi ba xoma temong.—Lefu.*
Something belonging to the chief's son got broken during the day, and the women returned from the fields.—Death.

26 *'Mutla o tsena ka kxôrô o tsêna o kxanthša kôpô.—Lefu.*
A hare entered the gates of the kraal displaying its fine hair.—Death.

27 *Ka ha ntsintsiri madi akwa ka dinala.—Lehlôtlô.*
I knocked *tsintsiri* and blood came out through the nails.—Beer-strainer.

28 *Kolobê mantšikitšiki mabôya mahlakoreng.—Tsela.*
A pig full of hair along the sides.—Path.

29 *Ka re kele mošo la ka bôna mokôkôtlô wa molepa.—Tsela.*
When I was over the spruit I saw a Native of the Balepa clan from the back.—Path.

30 *Thupana ntswiki-tswiki le Mapulanene e ya fihla.—Tsela.*
A thin stick reaches Vendaland.—Path.

31 *Ka lapa ya šala.—Tsela.*
I got tired but it remained.—Path.

32 *Sebose se le sekxerwaneng.—Borôkô.*
It is nice when it is in a piece of calabash.—Sleep.

33 *Pêrê ye khubedu ya maoto a mantso.—Mošidi.*
A red horse with black legs.—Soot.

34 *Ka namêla more ka ološa kxwahla.—Molodi.*
I climbed a tree and brought down the dry leaves.—Whistle.

35 *Xadima le manyôkê-nyôkê le šita banna xo phema.—Tlala.*
Darting lightning cannot be stopped by anybody.—Starvation.

36 *Lexokobu le thiba motse wa papa.—Tlala.*
A crow blocked my father's village.—Famine.

37 *Thupana ntswiki-tswiki ya tia mma o ya hlonama.—Tlala.*
A thin stick but mother cries when being thrashed by it.—Famine.

38 *Ka rêma more thaxa tše boke.—Butho ba e nwa jwala.*
I cut a tree and birds swarmed on it.—People coming to drink beer.

39 *Tše hwileng di dira tše phelang hore di tsoxê.—Semepi.*
The dead ones make the living ones active.—Whip.

40 *Ntlo yabo monyana ye kxanyang ho se ngwedi, hose mafyexa ka ntlong.—Thetho.*
One girl's house is shining yet there is no moonlight and no cowards in the house.—A piece of skin used by women to protect the front.

41 *Le a phuphusêla leeba le kxahla mongalona.—Lesea.*
A healthy dove pleases its owner.—Baby.

42 *Sešu sa pôxô ya Moletši kere ke ya tima sa kôkêla.—Xo wa le motho yo e se bexo monna waxo.*
The dung of an ox from Moletši does not go out even if I try to blow it out.—Illegal pregnancy.

ARCHAEOLOGY IN THE GOLD COAST

By C. T. SHAW

"Africa is a continent almost without a history, but it is rapidly acquiring a surprising prehistory," said Dr. Julian Huxley in *Africa View*, and the statement is a fairly good summary of the position of knowledge about the continent's past. Apart from Egypt, which is a cultural province of its own not comparable to the rest of Africa, and the north African sea-board which really belongs to the Mediterranean rather than Africa, our knowledge from written records takes us back less than a century over the greater part of the continent, less than 500 years in most of the rest ; and not much over a thousand years even in the areas for which we have Arab records. Beyond that, we are entirely dependent for our knowledge on the reconstructions and interpretations which archaeologists give us of the unwritten evidence they can find.

A hundred years ago the state of prehistoric studies in Europe was still in a confused and controversial state. In the last fifty years order has begun to emerge out of chaos with the application of scientific principles to a study which had formerly been the preserve of those concerned with the " Humanities " and were thus able to give free rein to their fanciful conjectures ungoverned by the discipline of science. Prehistory has now a recognised place and the general outlines of the prehistoric story have become fairly clear and agreed upon : even the supposed " hiatus " between the Palaeolithic and Neolithic which worried prehistorians so much for a time, has been satisfactorily bridged by the Mesolithic period. To achieve the position at present reached, an enormous amount of information has had to be collected and compared, and more and more has depended on the improving technique of excavation and the information thus gained on hundreds of ancient sites.

It was natural that at first prehistoric study progressed most in Western Europe, and that it should only be later that systematic study was extended to areas such as Asia and Africa. Many casual finds had of course been made before, but systematic prehistory in most parts of Africa dates from after the World War 1914-1918. The state of knowledge from stray finds was such as to permit of a controversy between two schools of thought—one declaring that the classical stages of man's development as worked out in Western Europe were universally valid, and the other that men developed in different ways in different areas without affecting each other ; and linked to this controversy was that in which the diffusionists opposed the protagonist of independent invention. But these controversies are now largely seen to be idle, since subsequent research has shown that the truth lies somewhere in between these two rigid theories—for tremendous advance has been made in prehistory in areas outside Europe. In Africa particularly is this true, and we owe almost all of our knowledge to the last quarter of a century. In 1870 Sir John Lubbock, speaking strangely enough about stone implements in West Africa, was able to say :— " Implements of stone are of rare occurrence in Africa."[1] Since then scientific excavation and methodical study have revealed whole sequences of cultures in North, East and South Africa, adding immeasurably to our picture of early man on this globe as a whole. As late as 1926 such was the state of knowledge that a European prehistorian examined or saw descriptions of a number of stone implements from different sites in the Congo with very few details on their provenance and none given by a really qualified observer, and was able to allot them all to a single culture ; for this newly-created culture the term " Tumbian " was invented from the name of one of the find-sites, and it was said to be closely related to the Campignian of Europe.[2] This " Tumbian culture " has very little relation to the facts as subsequently ascertained by competent archaeologists working in the country, who have found from stratigraphical evidence that many different cultures widely separated in time are represented, which were formerly included together on typological grounds as "the Tumbian."

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[1] British Association Report, Liverpool, 1870.

[2] " Die Tumbakultur am Unteren Kongo und der Westafrikanische Kulturkreis ", O. Menghin, *Anthropos* Vol. XX 1925 ; and " Neue Steinzeitfunde aus dem Kongostaate und ihre Beziehungen zum europaiscken Campignien ", O. Menghin, *Anthropos* Vol XXI 1926.

In North Africa and the Sahara area, the French (who have a more distinguished record in the field of prehistoric research than any other people, so that it has become a kind of tradition with them), have thrown a lot of light on the Stone Age cultures represented. Egypt has for long been the paradise of archaeologists, and recently more attention has been paid to the prehistoric period : the work of Caton-Thompson, Gardener, Arkell and Sandford in the Nile valley area has gone a long way to showing us the story there. Leakey's work in Kenya and Tanganyika revealed a prehistoric sequence of which little was known. Uganda has been blessed in Wayland with a Director of the Geological Survey keenly interested in the problems of quaternary geology and archaeology, and O'Brien has published an account of the country's prehistory, shortly to be supplemented by a joint publication by Wayland and van Riet Lowe. In the Belgian Congo the first real step in putting archaeology on a scientific basis was made by Jean Colette, who unfortunately died before he could himself publish the results of his work : it has been followed by the steady progress made by Dr. Francis Cabu, the present Government archaeologist. In Rhodesia it was Mr. Neville Jones who first systematically studied prehistory there, while the setting up of the Rhodes-Livingstone Institute has already resulted in further knowledge with the researches of Desmond Clark. The impressive Zimbabwe ruins have attracted many archaeologists, culminating in the excavations of the British Association directed by Miss Caton-Thompson. In the Union of South Africa, the work of Breuil, Burkitt, Goodwin and van Riet Lowe culminated in 1934 in the formation of the Union Bureau of Archaeology, (about to be re-christened the Archaeological Survey of the Union of South Africa) which has ensured the machinery and personnel for continuous recording and research.[1] This was largely due to the instrumentality of the world's leading prehistorian, the Abbé Breuil, as described in a recent number of this journal referring to his taking up work in Johannesburg in June 1942, and who has contributed to our advance in knowledge in many parts of Africa.

This exceedingly brief and sketchy summary, which does not pretend to be in the least comprehensive and leaves out a lot of names of those who have made considerable contributions to African Archaeology, does at any rate serve to give an outline of the general picture. It will be observed that two areas remain unmentioned—that comprising the former Italian East African Empire, and West Africa. The reason is that so much less work has been done in these areas. In a book[2] published in 1936 devoted entirely to the stone age in Africa, two chapters are given to East Africa, one to South Africa, one to North Africa, and one to Central and West Africa ; in this chapter nine pages go to Central Africa, two to the Congo, and only one to West Africa proper ! One page out of 100 ! It constitutes a fair indication of our ignorance.

The Gold Coast

What was true of West Africa as a whole was true of the Gold Coast. Nothing comparable to the advances made elsewhere in Africa had been made. Sir Albert Kitson, a former Director of the Gold Coast Geological Survey, was keenly interested in the archaeology of the country and made a large collection, but published little. Members of the Geological Survey continue to collect some fifty implements of stone a year, but are usually too busy on mineralogical research to give more attention to archaeology. The collection of the Geological Survey is housed partly at the Survey's headquarters at Ancobra Junction in the Gold Coast, partly at the London headquarters at 75 Cornwall Gardens, Kensington, which contains Sir Albert Kitson's collection. But the archaeologist had no framework into which to fit finds, as in most other places. For an area that had been studied so little there was a comparative abundance of surface finds and objects from casual digging, which in the absence of previous classification and analysis, was apt to be more confusing than helpful. Another great difficulty is inherent in the conditions prevalent in the country. In the forest area sites are difficult to detect. An abandoned village will revert to forest in a very few years, and a midden will look for all the world like a weathered ant-hill except on very close inspection. Air photography is no assistance here. The common use of swish or wood for buildings rather than stone assists the process of decay. Deterioration which in England would take hundreds of years, is accomplished in two or three decades by the alternation of tropical downpour and tropical desiccation, assisted by the inroads of a greedy vegetation. Conditions sometimes leave stone implements of different ages upon a surface which is being continually eroded away ; only in certain places do they tend to become embedded in accumulating material.

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[1] In an earlier number of this journal Goodwin gives a summary up to 1935, "A Commentary on the History and Present Position of S. African and Rhodesian Prehistory", *Bantu Studies*, 1935.

[2] *Stone Age Africa*, L. S. B. Leakey.

The earliest reference I can find to stone implements on the Gold Coast is that concerning ground stone axes made by the Danish missionary Monrad in *Gemälte der Kuste von Guinea* translated from the original Danish and published at Weimar in 1824. It was nearly half a century later that Sir John Lubbock exhibited some ground stone axes and a biconically-pierced quartz disc, brought from the Gold Coast by Winwood Reade, both at the Liverpool meeting of the British Association in 1870, and at a meeting of the Ethnological Society of London in the same year. He compared them with ground stone axes from other parts of the world, and particularly discussed the belief that they were thunderbolts and had medicinal properties. In 1911 Capt. R. H. Rattray obtained a number of stone axes dug up during the construction of the Ejura-Mampong road, which were published and discussed by Balfour[1], who recognised eight types. In his *Ashanti* Capt. Rattray further discusses stone axes and advances the theory that they were all originally of great length, and that the small ones found represent broken sections which had been reground. Capt. R. P. Wild, former Government Inspector of Mines, gave an account of the stone artifacts of the Gold Coast and Ashanti, in which he added two more types to Balfour's eight, and later published some of the decorated stone age pottery.[1] James's bibliography in 1937 made a valuable contribution to the collection of the literature of the subject.

In spite of their interest and collecting, neither Kitson, Rattray or Wild were able to do much excavation, with the result that many antiquities were known, but it was impossible to be sure to which age they belonged. The present Director of the Geological Survey, Major N. R. Junner, has been able to do a certain amount of excavation. He found " at a depth of 3 ft. in an old mound on a terrace of the Kolodio River south of Bole a skull accompanied by bits of ancient patterned coarse pottery and a polished stone celt." The skull was examined by Dr. A. J. E. Cave of the Royal College of Surgeons, who reported it to be that of an adult male with no absolute certainty of racial affinity or composition, but " in vault contour, face and slope and general osteological nature, it more nearly matches some of our ancient Egyptian crania—indeed were its facial parts missing the cranium proper would easily pass for an Egyptian cranium. But the face, with its heavy supra-orbital and malar regions, suggests an alien (i.e. more purely African) strain, and the impression is formed that the individual here represented was of mixed racial stock, partly Egyptian, partly African."

Digging at one end of a big stratified mound at Adukrom, Akuapem, produced a gold bead. Trial pits sunk in the ditches of earthwork entrenchments in the Oda district revealed stone axes and decorated pottery,[2] but no stratigraphical sequence was established. Major Junner in his Annual Report says :— "One would like to see some of these sites excavated with a view to determining their age: unfortunately the Geological Survey cannot afford time for the work." Braunholtz suggests that much might be learned from aerial photography, but perhaps he did not realise how heavily these entrenchments are masked by the forest. I have tried the experiment of flying over some of these sites to see if anything can be learnt in this way, although I was not very hopeful. It turned out that it was extremely difficult to identify an entrenchment from the air even when one was known to exist : there was certainly no chance of any not known on the ground being detected from the air. However I have also flown over the coastal plain where there are very few trees, and here (and presumably in similar conditions in the Northern Territories) aerial photography and observation should be well repaid. I was able to identify deserted village sites—not by a darker green area, but by a more livid yellowish colour. It is to be hoped that it will be possible to do much more work from the air.

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[1] See bibliography at end.

[2] See note by Braunholtz in *Antiquity*, Vol X, No. 40, 1936.

Since 1937 an attempt has been made to find out more about the prehistory of the Gold Coast from the Achimota College Anthropology Museum. Careful record of finds has been kept, and distribution maps prepared. A fair amount of field work has been done, and the sites recorded. Study and classification of material in this way has not increased our knowledge very much, although it has organised it in a way that should make it easier for it to fall into place as fresh discoveries are made. For, as everywhere else, what has given us our new knowledge has been—excavation.

Recent Excavations

The first two excavations did not lead to a very great increase in knowledge. One was in a small area six miles north of Accra where small white quartz flakes were noticed in abundance on the surface, but digging produced no implements of this material, but only two hammerstones and a pointed implement of quartzite. Many old iron-smelting sites are known in the Gold Coast, and while the art was still practised in central Togoland as recently as the end of last century and still is in the Northern Territories, we have no real evidence on the lower limit of dating for the practice. When an iron-smelting site turned up in clearing ground on the Achimota farm therefore, it was felt worth while excavating it properly in the hope of getting some evidence on this point. In this we were entirely disappointed as there were no associated objects other than a few sherds of plain pottery. The chief interest lay in the form of the kiln, the bottom of which was uncovered intact, with a plug of slag in it. This form was, in plan, that of a horse-shoe with the long axis about 2 ft. long and the narrowest 1½ ft. This is a form quite unlike that used until recently in Togoland,[1] which is again different from the clay cylinders in use in the Northern Territories.[2] The closest parallel I have come across is an old Kalanga smelting furnace now in the Bulawayo Museum, the length of which is 2′ 2″, the opening 1′ 5″ wide and the height 1′ 11″. The chief difference is that in the latter example, the hole for the tuyère is at the "back", opposite the big horse-shoe opening, while in the Achimota example two tuyères lay at either corner of this opening and there appeared to be no holes elsewhere in the walls for the purpose.

A most fruitful excavation was carried out in the Bosumpre Cave, Abetifi, Kwahu. There were no surface indications of ancient occupation, and the enterprise began only as a trial trench to see if it would repay digging. It turned out that there was a well-defined stone age layer stratified under one showing evidence of iron-smelting and metal-casting, and which can probably be divided into two on the evidence of the associated pottery. The lower layer told us three important things. Many kinds of "decorated pottery" unlike modern Gold Coast pottery had been discovered in many parts of the country associated with ground stone axes, but no very satisfactory "closed association" had been published, and there was a very large variety of styles of decoration which it had not been possible to differentiate. In the lower layer at Abetifi stone axes were associated with a type of pottery entirely different from any from the top layer, and consistently decorated in the same generic manner—by a series of small rectangular or oval dots. (For what the comparison is worth, the closest parallel I have seen yet is the Zimbabwe "A" ware,[1] and the Iron Age R 1 pottery from Mumbwa Cave, N. Rhodesia.[2]) Secondly, I had often wondered what the rest of the lithic equipment of the makers of the ground stone axes was, and Abetifi provided the answer; for there occurred in intimate association an abundant microlithic industry in white quartz, with crescents, points, burins, etc. This association was something quite new. Lastly, a long-standing problem has been provided by numbers of small biconically-pierced quartz pebbles, which have often been found in the country. Usually about 1½″ to 2″ in diameter, but with a perforation rarely as much as 1/10″ across at the narrowest part, all kinds of uses have been suggested for them, from net-sinkers and beads to loomweights and money. We formerly had no idea of their antiquity either. Abetifi has not thrown any light on the first problem, but it produced two in close association with the ground stone axes and the microlithic industry, thus demonstrating that in their primary use they do go back to the stone age—a fact not hitherto ascertained.

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[1] "The Iron Workers of Akpafu", Capt. R. H. Rattray, *Journal of the Royal Anthropological Institute*, Vol. XLVI 1916.

[2] Different also, I believe, from that at Abomposu : see "An Unusual Type of Primitive Iron Smelting Furnace", Capt. R. P. Wild, *Gold Coast Review*, Vol V, No. 2, 1931.

A somewhat similar industry—in that it combines ground stone axes, microliths and decorated pottery—has been published from caves and rock-shelters in French Guinea.[3] The authors attribute this industry to the "Tumbian", maintaining not only that this culture is to be found over the whole of West and Central Africa, but that microliths are an essential part of it. They affirm that if microliths have not been found, it is the result of alluvial sorting washing away the lighter elements, which is their own explanation for what they found at the alluvial site of Malisa. With this view I cannot agree: not only is the use of the term "Tumbian" as a whole very unsatisfactory, but we need better evidence to account for the absence of microliths if they were really originally universally present. Vaufrey and Delcroix derive their culture from surviving elements ultimately traceable to Capsian traditions together with some more truly "Neolithic" elements from the Nile Valley area by a route which is not yet certain. (The arrowheads so profuse in the Saharan Neolithic are entirely absent). I had already supposed such an origin as this for the Abetifi industry, before reading the views of Vaufrey and Delcroix in connection with the Guinea caves. But I propose "Guinea[1] Neolithic" as a generic name to embrace both cultures, with "Gold Coast Neolithic" as the specific for the industry found at Abetifi. I think this not only gives a more correct suggestion for the age agreed upon for the culture, but is also more indicative of its cultural connections, in that it contains at least two (pottery and ground stone axes) of the four elements associated with the idea "Neolithic"[2]: it is possible, but not proven, that the people of this culture had domesticated animals, and even that they practised some form of agriculture.

The most recent evcavation was in a very large mound at Dawu, Akuapem. It was clear that this was an old midden mound, but it was impossible to ascertain the age without excavation. A trench four feet wide was put through one end of the mound, and all the excavated material carefully sieved. It involved putting in nine layers of timber shoring to hold up the sides, as a depth of over 24 ft. was reached before coming to undisturbed ground. The material found has not yet been worked upon nor the report written, so it is premature to say what the results are. But it seems that the whole midden is comparatively recent. Clay pipe-bowls, such as were in common use till the last century occurred plentifully in the top half of the mound, and then ceased abruptly on a line perfectly according with the visible stratification. As the position is presumably not complicated in West Africa by an Arab introduction of hemp-smoking, as in East Africa, this clearly defined horizon can be taken as about a hundred years after the beginning of Portuguese influence on the coast. They reached the Gold Coast in 1471, and built Elmina Castle eleven years later; tobacco was first known to them in 1560, and it appeared at the Cape of Good Hope in 1601;[1] they had introduced it into India and Japan by 1605, and by 1610 it was being grown in Ceylon;[2] the new luxury was introduced into Morocco by Negroes from south of the Sahara in 1597.[3] It therefore seems likely that the smoking of tobacco in clay pipes became established in the Gold Coast before 1600. As far as can be ascertained from local information, the midden cannot have been much in use after 1800. A possible date for its beginning lies in the thirteenth or fourteenth century. In any case one of the chief interests of the excavation lies in the fact that the lower part of the midden seems to antedate the European discovery of the coast, and that iron and bronze are found right down to the base. This is independent evidence of pre-European metal-casting in another West African area, which strengthens the claim that Benin did not learn the art from the Portuguese;[4] and it suggests the same for the Ashantis and their bronze gold-dust weights and *kuduo*.[1] When the results are worked over, a good deal of significance will attach to the beads found: in addition to locally made beads of stone, bone and shell, ordinary trade beads occur, larger glass beads predominating in the bottom half. Some of them resemble the so-called "aggrey" beads of reputed Phoenician origin, but which are much more likely to have been Venetian and to have found their way to the Gold Coast on the trans-Sahara caravans. About half a million sherds of pottery were recovered, with changing decoration and form, which, when the arduous task of sorting and classifying has been done, should provide a useful sequence for future reference. An interesting series of decorated bone and ivory combs and rings was found.

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[1] *The Zimbabwe Culture. Ruins and Reactions*, Caton-Thompson, 1931.

[2] "Further Excavations (1939) at the Mumbwa Caves" by J. Desmond Clark, *Transactions of the Royal Society of South Africa*, Vol. XXIX Part III, 1942.

[3] "Le Toumbein de Guinée Francaise" by R. Delcroix and R. Vaufrey, *L'Anthropologie Tome 49*, 1939.

[1] By "Guinea" I mean the whole area from a variable frontier roughly 14° N to the shores of the Gulf of Guinea, and from the Atlantic to the Cameroons, 17° W to 10° E. This area includes the Gambia, Portuguese Guinea, Sierra Leone, Liberia, the Gold Coast, Togoland, Nigeria and a large part of French West Africa, including the Ivory Coast and Dahomey.

[2] For the argument in detail see my forthcoming "Report on Excavations in Bosumpra Cave, Abetifi, Gold Coast."

It will be seen from the foregoing that we are in a somewhat better position in our knowledge of Gold Coast prehistory than we were ten years ago. We have a better idea of one phase at any rate of the culture we may term the Gold Coast Neolithic, and we have some new light on the period immediately preceding the European contact on the coast. But this is little enough. It would appear from a number of surface finds that, contrary to what has been maintained in some quarters, the Palaeolithic period is represented in the Gold Coast. But this is still largely a conjecture, and awaits the confirmation of finds in situ. That there are stone age cultures antedating the Neolithic I feel certain, but it remains to find and excavate a good site. What really needs undertaking by an archaeologist and a geologist working together, is a survey of the terraces of the Volta and other Gold Coast rivers, and the raised beaches along the coast. Such a survey would come up against a difficulty not experienced in similar work in Europe or S. Africa—the necessity for bush clearing, since it tends to mask all surface indications. Furthermore there would be no help from exposures made by commercial enterprises, except where the Birim diamond fields are worked. Both these facts would increase the time and expense involved. But it is what must be done before we are likely to gain much knowledge of the period.

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[1] *The Origin of Certain African Food Plants*, by A. J. H. Goodwin, *South African Journal of Science*, Vol. XXXVI, Dec. 1939.

[2] *Primitive Arts and Crafts*, R. U. Sayce, Cambridge, 1933.

[3] *Caravans of the Old Sahara*, E. W. Bovill, O.U P., 1933.

[4] *Four Pre-Portuguese Bronze Castings from Benin*, Eva L. R. Meyerowitz, *Man*, No. 155, Vol. XL, September, 1940.

[1] *Religion and Art in Ashanti*, R. H. Rattray,

Until this can be done and with so much else waiting to be done, it will probably be better to concentrate on the elucidation of the later period. In particular more needs to be known about the Gold Coast Neolithic culture. Caves and rock-shelters are needed in areas other than Kwahu to reveal how widely representative Abetifi is, or if its characteristics—particularly in pottery—are comparatively local; but even more necessary is excavation in the earth-work entrenchments of the Oda district, which have already been shown to be "Neolithic" in character, to try to discover their relationship to the Abetifi facies. It is also desirable to discover a site which will link the present gap between the end of the stone age and the fourteenth century A.D., of which we know some of the characteristics in the Akuapem area from Dawu, and to get some indication for the date and source of the introduction of iron. It is probably excavation also which will ultimately solve the problem of the origin of the Ashantis, and whether it really was the Songhais who were responsible for the underground cisterns of the Northern Territories.

Its Practical Value

It might well be asked what use archaeology is in the Gold Coast, and whether such a study justifies expenditure in time and money given to it in a country whose progress and development, like so many African territories, is held up by a vicious circle of poverty, resulting in such a thin spread of social services that progress cannot be anything but slow. But the answer is that, rightly regarded and directed, archaeology gives us knowledge of the past by which alone we can properly understand the present, and without this understanding we cannot hope to control or plan for the future. Archaeology can thus very genuinely claim to have something to contribute towards the country's development: to quote a great archaeologist:—"We cannot divorce ourselves from our past; we are always conscious of precedents, not least so when we flout them, and we let experience shape our views and actions: this is so much the case that when tradition is absent or crystallises into unreasoned convention, as it has done with the Australian Bushman, progress stops. But the past to which we appeal must be in a sense our own, precedents set by men conditioned much as we are, the experience of races or individuals morally akin to us; its value is proportionate to the degree of continuity to which we are linked to it. The political thinker of a hundred years ago would cite his parallels and draw his arguments from the Roman or Greek world, finding that cognate with his own, but there he stopped short; Greek civilisation presented itself to him as something born full-grown with no history behind it, giving little opportunity for observing development and cause. Today we can see that modern man did not begin his career in 500 B.C., not even perhaps in 5000 B.C.; from the flower of Attic culture we can work back and find the roots spreading far afield, and sending up perennial blossoms all differing with the nature of the soil and the tending which they have received, but all of one stock, and in the light of such knowledge we can better judge and control the present and the future growth. And this enlightenment is not merely for the specialist, for the research student in history. The opening up of the world affects us all, becomes part of the general intellectual inheritance, and the justification of archaeology is that it does in the end concern everyone. Its direct appeal is due to the fact that, compared with natural science, it comes with simpler introductions. Its subject is modern man, not a universe which resolves itself more and more into an intellectual abstraction, and its material is the work of man's hands."[1]

One of the reasons why archaeology can have such an immediate and practical value is that principles at work in a country may be clearer in the prehistoric record than in a written history filled with obscuring details: for the historical period it required the advocates of the materialist conception of history to free us from the tyranny of dates and kings and battles and reveal to us the underlying economic and other causes: prehistory cannot give exact dates or the names of kings, but the fundamental processes of culture advance and change stand out clearly. It can sometimes give lessons and warnings on such things as soil and forest preservation from demonstrating former fertility and prosperity in what has since become desert, not from climatic changes, but ignorant prodigality in the use of timber or soil.

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[1] "Digging Up the Past", Sir Leonard Woolley.

The students of Achimota and other Africans are interested in the archaeology of their country and are useful in bringing in specimens and giving information about sites. Archaeology has an interesting place in the growth of a people to full manhood as a nation. It is a curious thing that sometimes the early stages of society seem, almost like adolescents, to exhibit a kind of shame of their childhood and want to make a break with the past. Yet to the leaders of growing or resurgent nations, the patriotic worth of archaeology is self-evident. Whether the past of a people is great or humble, no nation can feel truly self-confident or self-conscious if it is uncertain about its past. Masaryk and Chiang Kai-shek realised this. "Local" archaeology thus has a great educational value, as well as more general archaeology, whose value in giving a sense of proportion and a truer scale of values is undisputed. Thus it may very well be that it is partly because many people are ignorant of Man's past that they have a disproportionate view of the present and an unjustifiably exaggerated idea of their own importance and an excessive pride in their so-called race and its achievements, which they would not have if they viewed the true story of Man's progress as a whole, as revealed by archaeology.

It is therefore to be hoped that further archaeological research may take place in the Gold Coast—in particular by excavation. The Colonial Office has approved plans for the setting up of an Institute of West African Arts, Industries and Social Sciences, which makes provision for archaeology. The appointment of a whole time archaeologist should greatly accelerate the increase in knowledge, not only in the Gold Coast but in the other West African colonies, where very little systematic research has been undertaken.

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PLANNING NATIVE DEVELOPMENT IN NORTHERN RHODESIA

By G. BERESFORD STOOKE

When the war is over, many thousands of Africans will return to Northern Rhodesia on demobilisation from the Army. The vast majority of these men will have changed very much since the day when they left their villages to enlist. They will have changed physically, and they will have changed mentally. The question of their re-absorption in the community is therefore one which requires careful thought and planning.

It might be suggested that all that is required is to provide employment for as many as possible of those who desire employment, and to provide land for the rest. But such a proposal does not take sufficient account of the urgent necessity for maintaining and even improving the better standard of living to which these men will have become accustomed. The alternative suggestion, which in the view of the Government of Northern Rhodesia is the correct one, is that full use should be made of these demobilised soldiers in the prosecution of a campaign of Native development throughout the Reserves.

What is meant by "Native development"? The reply is that "Native development" means all those measures which jointly and severally will have the effect of improving the standards of African life, of improving the conditions under which the African lives and of enabling him to live a fuller and happier life.

It is sometimes said that the African is happiest when left to himself, that he dislikes progress which he regards as interference, and that he prefers his own poor way of life to the more enlightened ways of civilisation. Those who make such an allegation perhaps overlook the appalling conditions under which so many Africans live—conditions which are capable of improvement. Physical fitness can be improved by the adoption of a proper diet, and this leads not only to increased resistance to disease but also to increased enjoyment of life.

Are Africans to be denied our culture? Are they to be condemned to live indefinitely under insanitary and unhygienic conditions? The meaning of "Native development" becomes clear.

How is this development to be achieved? It is first necessary to visualise the potentialities. The standard of life which a community may ultimately achieve depends upon the natural resources available to that community, and the manner in which those resources are exploited. Natural resources may be divided broadly into two classes, the physical resources of the country and the resources of the human inhabitants. The standard of life which can be attained by the African depends upon the best use being made of the land and other physical resources at his disposal and concurrently upon the fullest development of the African himself, the improvement of his skill and efficiency. The reply to the question "How is Native development to be achieved?" begins to take shape.

Taking first the question of the physical resources of the Reserves the first essentials of human existence are water, food and shelter. In his primitive mode of life, the African must have enough water to drink, but he frequently has not enough with which to keep himself clean. As regards food, too many Africans know only too well the pangs of starvation, but even when he is not starving the African rarely has a diet which is sufficiently varied and sufficiently well-balanced to produce a healthy, disease-resistant body and a healthy and active mind. As regards shelter, the house which the African builds, the conditions under which he lives in it, and his arrangements for disposing of excreta all tend to cultivate and encourage disease. How many Africans in the

Reserves have an adequate supply of clothing which can be kept clean ?

Is it unreasonable to suggest that within a measurable space of time it will be possible to bring about conditions where, in every African village, Africans will live in well-built cottages, with adequate water supplies, a sufficiency of good food, proper sanitation and clean, if simple clothing ? And that each village or area should have its skilled craftsmen, and men and women trained to supply adequate public services, health, educational, agricultural and so on.

Hitherto, Native development has too frequently been limited to the development of exports, and too little consideration has been given to the development of local internal trade, that is to say to fulfilling as many as possible of the African's needs by local production, and by the interchange and distribution of local products. Here again it is necessary to lay emphasis on the visualisation of the possibilities.

In many Colonial dependencies, and particularly in those which have large volumes of primary produce for export, it is a sound economic policy to export the primary produce and import manufactured articles. In Northern Rhodesia that principle applies to copper, but that principle does not necessarily apply to the development of secondary industries. For instance, let it be supposed for the sake of argument that cotton can be grown in Northern Rhodesia. Owing to the geographical position of the Territory cotton would not be a profitable export crop. It might be found, however, that the Luangwa Valley offered favourable opportunities for the establishment of a secondary textile industry, *i.e.*, for the growing of cotton, and by the use of water power for spinning and weaving that cotton into piece goods for local consumption, but not for export. The cotton growers and operatives would exchange their product for foodstuffs and other articles, to the mutual benefit of themselves and of agriculturalists and others in other parts of the Territory. (It is not suggested that, even if it were economically practicable, a textile industry on a large scale should immediately be established. Such a step would be premature in existing conditions.) Similarly, it might be found that Barotseland and other areas could be developed to provide animal products—meat, ghee, hides—and that other areas should concentrate on grain or whatever they are most favourably placed to produce. With a well organised system of distribution and marketing, it should be possible for every African in the Territory to enjoy the resources of the whole Territory, instead of the very limited resources of the particular area in which he lives.

It is therefore necessary to consider what are the potential resources of the Territory and how they can best be developed.

To quote from the White Paper on Colonial Development:

> " The first emphasis in this much enlarged policy of Colonial development will be on the improvement of the economic position of the Colonies. That is the primary requirement, upon which advance in other directions is largely consequential. It is by economic development that Colonies will be placed in a position to devote their resources, to the maximum extent possible, to the provision of those Government and other services which the interests of their people demand."

Turning now to the question of the resources of the human inhabitants, it is possible that insufficient consideration may have been given to the psychological aspect of Native development. Unless consideration is given to this very important question there is a danger, as experience has shown elsewhere, of the real aims and objects of development being lost.

In the first place, it must be realised that any degree of development means in effect a change of environment. It is therefore necessary to watch very carefully the reaction of the African to this change, and when, as not infrequently happens, the reaction is contrary to that which is desired, every effort must be made to remedy the defect which has caused the unfavourable reaction and to produce instead a favourable reaction.

Secondly, it is suggested that any measure of development will fail unless a successful attempt has been made to induce in the African the right ambition—the ambition to produce a better standard of life viewed not from the standpoint of the individual but from that of the whole community.

The aim of Native development should be not to produce a small intelligentsia or aristocracy, but to raise the standard of living of *all* Africans. It is therefore necessary to imbue the African with the idea of working not just to improve his own conditions but to improve conditions for himself and all his fellows. Without this ambition, not only will the response to development be meagre but such response as there is will not have the right motive.

Thirdly, emphasis must be laid on the importance of inculcating in the African adequate moral and ethical standards suited to the new environment brought about by economic and social development.

These all point to the necessity for well-planned education, using the word " education " in its broad sense and not in the narrower sense of teaching children to be literate. It is necessary to teach Africans how to improve their standard of life, how to develop themselves and how it is to the ultimate benefit of the individual that the standard of the whole community should be raised. It is necessary to teach Africans how to make the best use of their land, and of the food they grow, how to develop their crafts, how to keep themselves clean and healthy, and, last but not least, how to enjoy the benefits of civilisation rather than fall a prey to its dangers.

The aim of educational policy should be to produce not a discontented and disappointed intelligentsia but a happy and contented community educated to make the best of their resources. In carrying out this policy movements such as the Pathfinder and Wayfarer organisations should be capable of playing an important part, as indeed they already do.

Female education is also of primary importance. It is appreciated that a weighty barrier of prejudice will have to be overcome and that this can only be done gradually. But it is obvious that without the full co-operation of the women who are responsible amongst other things for bringing up children, for the care of the house and for preparing and cooking meals, little can be achieved in the improvement of health and sanitation.

All the social services, education, health, agriculture, are interdependent and no single one of them can hope to achieve full and lasting results without the help of the others.

II.

Having discussed, in very broad outline, the guiding principles of Native development, it is now necessary to consider the method.

It has already been noted that the social services are interdependent. This means, in effect, that the efforts put forward by these services can only be fully effective if they all form part of one concerted plan. Not only must there be inter-departmental co-operation but there must also be geographical concentration. In other words, not only must there be a careful correlation of the plans and policies of the various departments but also there must be an equally careful correlation of the application of such plans and policies. Progress must be properly balanced. For instance, educational policy might be perfectly attuned to health and agricultural policy, but it would miss its mark if in certain areas education were to be pushed ahead of the other services, and in other areas it were to lag behind.

This leads to the conclusion that in order to achieve balanced progress, planning should begin in the districts and provinces.

It is not desired to lay down hard and fast rules for Provincial Commissioners who must be allowed to be the best judges of conditions and possibilities in their provinces, but some notes as to how the problem may be approached may be of value to Provincial Commissioners and Administrative and Departmental officers.

In the first place, before any plans are considered, it is desirable to visualise the potentialities as far as possible. Officers should endeavour to form a mental picture of the conditions which it should be possible to create through the persistent application of a policy of progressive development during the next 50 years. Then, and not before, should consideration be given to the actual steps which should be taken during the first five years towards the distant objective.

It is necessary to realise that progress must inevitably be slow, particularly in the early years. It will, for instance, take time to train African staff, but, in any event, progress must be at a rate dictated by the African's capacity for easy and thorough digestion of the measures proposed. The African should not be pushed. He should be led. The latter process may be much slower at first, but it is more sure and, in the long run, more productive.

It is important that every effort should be made to obtain the assistance of those best qualified to advise. The local representatives of the Missionary Societies, which are so largely responsible for educational and other services, will, it is hoped, offer close collaboration. There are others who, through long experience or through a close interest in Native affairs, will also be able to give valuable assistance. Last but not least there are the Africans themselves. African opinion should be sought from Native Authorities and also from individual Africans of intelligence. In some districts it may be found convenient to appoint representative committees to review and advise upon the plans and schemes which are put forward. In other districts this may not be practicable, and it will therefore be left to Provincial Commissioners to take what steps they consider desirable to ensure that all sources of inspiration, knowledge and advice are adequately tapped.

In drawing up plans, care should be taken to give consideration to all forms of human activity. For instance, the distribution, marketing and sale of goods, the development of communications and transport, the improvement of social amenities, the provision of cultural and recreational facilities, the growth of political institutions, the administration of justice, the maintenance of law and order and the evolution of land tenure are subjects which should not be overlooked.

When the five year plan for the province (which will be a co-ordinated compilation of district plans) is complete, it will be submitted to the Chief Secretary who will refer it in the first instance to the Native Development Board. The provincial plans, subject to such modifications as the Native Development Board may decide upon, will be referred to heads of departments for the preparation of plans and estimates of the central services which will be required to support and maintain the requirements of the districts. For instance, until he knows the details of the provincial plans, the Director of Medical Services will not be able to formulate plans for the training of dispensers and health assistants. Heads of departments will, however, give general guidance to their officers in the provinces so that the provincial plans will not be out of proportion to the capacity of the departments to supply staff and material, and so that divergencies in policy and in the application of policy in the provinces will not be greater than the variation of conditions and circumstances demand.

The provincial plans should be submitted in the form of a descriptive memorandum accompanied by detailed estimates of additional local staff and expenditure required in each of the five years covered by the plan. A separate schedule should be prepared for each of the departmental services required for which no estimate can be prepared locally, *e.g.*, development of water supplies. Provincial Commissioners should consult the heads of such departments before completing the schedules. As regards the development of water supplies, which is of primary importance, it is proposed to arrange for the Director to visit Provincial Headquarters in each province early in 1943 for the purpose of preliminary consultations. It need hardly be said that there should be the closest co-operation in this matter between all heads of departments concerned and the Provincial Commissioners.

III.

In the existing economy it may be said that the principal personal resource of the African in Northern Rhodesia is his manual labour which he sells to employers outside the Reserves. How far the African may expect ultimately to go in employment in European areas is a question of considerable importance and at the same time of some difficulty, but it is not a question which can profitably be discussed in this memorandum.

Parts I and II of this memorandum refer mainly to Native Reserves. There is, however, a considerable number of Africans resident in the urban and industrial areas of the Territory. While employers and local Government Authorities have their particular responsibilities in regard to the welfare of Africans, there remains with the Central Government the general responsibility for the provision of social services, and what may perhaps be termed the guardianship of African interests.

The problem of Native development in urban and industrial areas is complicated not only by the multiplication of agencies through which such development may be achieved but also by the fact that some Africans in those areas have already experienced a substantial change in environment. The question as to the steps which should be taken is one which requires careful thought and careful planning. The problem of educating and developing Africans in such a way that they can form a useful complement to a community which is non-African and at the same time satisfy their own legitimate ambitions has in it many more thorns than the problem of advancing a community which is wholly African. The achievement of satisfactory results must depend largely upon the outlook and attitude of the European, and in this connection it is encouraging to note that there are in Northern Rhodesia employers who by their deeds have shown their intention to advance the welfare of their African employees, and have achieved already a measure of progress which can serve as an example even to the Government itself. Nevertheless, it will doubtless be found desirable to stimulate in the European community, by means of education and propaganda, an interest in and sympathy with their African neighbours, and a sense of their responsibility as trustees for the Natives. This trusteeship is not the prerogative of a handful of Government officials. It is vested in the whole British race.

As in rural areas, so in urban and industrial areas every opportunity should be taken to obtain advice and help from extra-official sources in the consideration and preparation of plans.

IV.

This article began with a reference to the problem of the reabsorption of African soldiers on demobilisation, and it will end with a similar reference.

The great majority of these men will have become accustomed to better food, better housing, and better clothing than that to which they were used before they enlisted. Many of them will have had their mental outlook broadened by travel, by intercourse with Europeans and with Africans from other parts of Africa. They will have found a new way of living, and it is not unreasonable to suppose that many if not most of them will wish to continue in this new way of life.

If this supposition is correct, it will not be an exaggeration to say that never before in the history of Africa have there been possibilities on so large a scale of making real progress in the development of African territories.

The opportunity must not be allowed to pass unseized. Apart from other considerations, the presence in the Reserves of many thousands of Africans dissatisfied and disgruntled at our failure to provide them with the means and opportunity of maintaining their new found way of life would present a problem which could be regarded only with grave anxiety.

All officers concerned should, when considering their plans for the future, keep well in view the urgent need not merely to make adequate provision for demobilised soldiers but rather to make full use of them in the development of the Native Reserves and their inhabitants.

NYAKYUSA LAW FROM COURT RECORDS

By R. de Z. HALL

The civil law which is being administered in the Rungwe District of Tanganyika at the present day is very largely of recent growth. In respect of adultery and divorce, the Chiefs, sitting in council with their headmen and elders from 1935 onwards, have made a long series of resolutions which have materially altered traditional Native law; and the law of inheritance is also changing. The question was raised in 1938 whether these resolutions, which were legislative in character, should not be embodied in formal rules under the Native Authority Ordinance in order that they should be given legal effect, but, after further discussion, the Chief Secretary gave the following ruling in April, 1940:—

> " The crystallization of a Native custom in a set of written rules is bound to have the effect of rendering it more static than when it is unwritten and thereby retarding its future evolution, if there is in fact need for its further development in order to bring it into line with accepted principles. . . . . Evolution along normal lines is taking place and, in the case of the adultery and divorce customs at all events, finality has not yet been reached. The modifications . . . have been incorporated in and are, in fact, the present Native customary law which governs these matters. It therefore follows that judgments in the Native courts which are in conformity with this modified Native law are *intra vires* that law and do not require Government intervention to make them so. . . . It is not suggested for a moment that Native laws and customs should not be reduced to writing. It is most desirable for many reasons that they are, not least of which are to assist officers in the correct performance of their duties and to enable a review to be made from time to time of the nature and extent of the evolution which may be taking place. This is, however, a different matter from crystallizing them by means of Rules under the Native Authority Ordinance and so converting common law into statute law."

Almost all the resolutions on Native law (which are recorded in the proceedings of the Council of Chiefs) have subsequently been given effect to by judgments in the Native Courts. It would indeed have been surprising if there had been any aspect of Native law not covered by the Courts, since the annual average of civil cases heard over the years 1936-1940 has been 5,450. Of these an average of 509 have been further argued on appeal before the Native Court of Appeal, while 109 per annum have gone up to the District Officer and 5 to the Provincial Commissioner. A series of 480 appeals to the District Officer between the beginning of 1938 and October, 1941, has been examined in detail and has given rise to the ensuing account of Native law and custom and the law of evidence as it stands at present.

Marriage

The point at which marriage is complete in Native law arises in three classes of cases, all lying between the woman's family and her husband or betrothed, viz., the right of a girl betrothed in childhood to decline marriage on reaching puberty, the right to sue, whether of guardian for seduction or husband for adultery and guardianship of children.

In one case it was held that the precise moment when a girl ceases to be under her family's authority and comes under that of her husband, is the consummation of the marriage. If, after the ceremonial, she enters her husband's house and leaves before cohabitation, she is still under her own family. Similarly, she was held to be under her father until the marriage rites had been finished and she had actually gone to cohabit and live with her husband. But on another occasion the court held that the essential point was not physical consummation but whether the woman remained in her husband's house overnight or not. Puberty ceremonies in no way affect matters.

The existence of the marriage tie places a man in a special position in the woman's respect to his relatives by blood or by marriage, and if such a relative commits adultery with the woman, special damages of one cow are payable. The same damages are payable if a relative marries a divorced wife. But if a relative entices away a girl betrothed but not married, the prospective husband has no remedy, though her father has.

A man, having transferred marriage cattle in respect of a woman, has the right of sexual access to her at any time, even though she is carrying a suckling child.

Marriage Cattle

The standard value of a cow for purposes of litigation is Shs. 40/-. But a cow which had borne five calves was valued at Shs.30/-. Shs. 40/- in cash are equivalent to one cow in marriage transactions. The standard value of a calf is Shs. 30/- and of a bull Shs. 20/-. Where Shs. 20/- were handed over without being specified as a bull, this equivalent was assumed.

Evidence regarding cattle transferred in connection with marriages should be substantiated by the marriage-witnesses on each side (Vafusya).

In addition to the number of cows fixed as marriage cattle, a bull is always to be brought by a prospective husband when a girl, betrothed in childhood, attains puberty and is therefore ripe for marriage: but this custom does not pertain with the Ndali. This bull should also be transferred by the *mfusya*, or, if he is not available, an adult unprejudiced villager.

The fixing of the number of marriage cattle is the right of the legal guardian of the woman, i.e., normally her father or brother. The husband can claim no reduction in the balance of cattle to be transferred on account of his wife's advanced age or illness. In any suit against a husband concerning marriage cattle, the existence of family claims to division of marriage cattle received (see under Inheritance) in no way affects the sole right of the woman's guardian to institute proceedings.

The number of marriage cattle twenty years ago was usually only one or two. Six in respect of a chief's daughter, married pre-1914, are noted. The following numbers have been noted in the present series of cases :—

19	a chief's daughter	once
15	do.	twice
13	do.	twice
12	do.	once
10	do.	twice
10	not apparently a chief's daughter	twice
9	a chief's daughter	twice
9	a peasant's daughter	once
8	do.	8 times
7	do.	7 times
6	do.	16 times
5	do.	11 times
4	do.	11 times
3	do.	twice

When a wife dies, it is frequent for her sister to be brought in substitution, and in such a case, all the marriage cattle transferred in respect of the two women are treated as one transaction, subject to the right of the guardian of the woman who died to retain half the cattle transferred in respect of her.

Half the marriage cattle which have been transferred are retainable by a woman's guardian if she dies and the other half are refundable to the husband. But if the widower does not make his claim before his death, his heir cannot institute a suit for such cattle. And where a woman has passed from her first husband to another, the first husband's marriage cattle being restored to him without the assent of the woman's guardian, the second husband cannot make a claim in the event of her death.

Evidence of Adultery (and Enticement not amounting to adultery)

Enticement not amounting to adultery. A man must be found with another's wife, not in a house or circumstances of concealment, but definitely in her company, e.g., walking together or sitting together on a path.

Adultery. A man must be found with another's wife in a house or circumstances of concealment, e.g., sitting in the grass away from a path, or property of the woman must be found in the man's house. It is sufficient if the pair are seen in company in a place remote from the woman's home. If they are apprehended in a house or unfrequented place, a disinterested witness, preferably a headman (*malafyale*) or elder (*lifumu*), should be present. Where a man alleged that he caught his wife *in flagrante delicto* with an adulterer and wounded the man in the face as evidence, it was held that the evidence was insufficient, since he did not summon neighbours, who were readily available.

The best evidence is an admission by the man : the worst is an admission by the woman, which unsupported is of no value, since she is under the dominion of her husband and may even be acting by connivance with him. It makes no difference that she has had judgment given against her separately and has paid damages to her husband : there is still no credible evidence against the man. But a woman's sister's evidence is accepted. Second-hand evidence is of no value. For a woman to beg food from a neighbour is no evidence of adultery or of preparation for it.

The same evidence that a husband has to produce in an adultery suit has also to be brought by a father in a case over the seduction of an unmarried woman.

Damages.

The scale of damages payable by an adulterer, being a peasant, is 7 cows to a chief, 4 to a headman (*malafyale*), 3 to a son or brother of a chief or headman, 3 to a village headman (*lifumu*) and 2 to another peasant. The term " son or brother " of a headman is restricted to the actual blood relationship and does not include a wider circle of relatives and the term " village headman " is defined as meaning any *lifumu* of a recognized *malafyale* and any village headman shown as such in the tax assessment rolls. Where an adulterer is of higher rank than a peasant, he shall in no case pay less damages than are receivable by him.

In addition, damages of one cow are payable by the offending woman, and are recoverable against her guardian. But they are not payable if the full agreed number of marriage cattle has not been transferred by the husband to the woman's guardian, e.g., where there was a balance of four cows out of ten. *Note* :—This finding is at variance with the Council resolution on the subject which states that damages are not payable by the woman when the number of cattle is three or less Such damages are to be recouped by the adulterer to the woman's guardian if he subsequently marries her.

An extra cow is payable when the adulterer is a blood or marriage relation : and another is payable in lieu of costs when the adulterer has absconded to the Mbeya District and has had to be followed thither.

Damages can only be claimed twice against the same man. But where a woman's guardian has recovered damages for seduction before she was married, the husband, after she is married, has a right to recover twice from the same man, if he proves adultery against him on two occasions. A man who commits adultery twice (*altered by resolution to thrice in 1938 but not yet confirmed in court*) may be imprisoned on the second (*now third*) occasion : but if he is subsequently taken in adultery with a different woman, he is not automatically liable to further imprisonment. The rule that damages may only be claimed twice against the same man applies to the woman also but only in respect of one particular man : if she commits adultery on subsequent occasions with other men, damages can be recovered each time.

Damages cannot be claimed twice in the same case. An aggrieved husband, having already recovered damages from an adulterer, cannot also recover from an accomplice.

Adultery Suits

Suits must be instituted by the person qualified to sue and against the person responsible. The father or brother of a married woman has no right to claim damages from an adulterer and should such a relative have succeeded in collecting damages from an adulterer, the cattle can be recovered from him by the husband, even though he himself had taken no previous steps. The right to sue of a man deceased survives, however, in his legal representative, provided that the wrong is closely followed by the death. A husband has no right to sue as against the father when the marriage has not been completed.

On the question of the adulterer's responsibility, damages cannot be claimed against a man, not known to have been the adulterer, if the woman is found in his house in circumstances not amounting to adultery. Where, however, a woman's brother called her in to a beer-drink and a guest made advances and gave her a shilling, damages of one cow for enticement not amounting to adultery were given against the brother and not against the guest. As regards the responsibility of the family of the adulterer, in a case where a man had run away with a married woman to the Lupa Goldfield, and she had died there, the aggrieved husband sued the man's father for damages: half the Native assessors held that the father had no responsibility and the other half that he had: and the former view prevailed. And, specifically stated as an exception to the rule that the case must be taken against the person responsible, one judgment rules that where there has been a child of the adultery and the adulterer is not traceable, his father must pay one cow compensation to the woman's guardian for the cost of up-bringing.

General

Where an aggrieved husband has divorced his wife and has received back his marriage cattle, he cannot thereafter institute an adultery suit. But he can if any balance of cattle remains unreturned to him. Where, however, a woman has received an order granting divorce from a Native Court, conditional on the refund of marriage cattle, she has a right to find another husband who will make himslf responsible for the cows, and her meetings with him do not constitute a cause for an adultery suit, provided both make known their purpose before a responsible person. Where a woman was deserted for 10 to 15 years and remarried, and subsequently the first husband returned and enticed her away, it was held that the original marriage was null and void on account of his desertion, even though marriage cattle had not been returned to him in full, and therefore adultery damages could be claimed against him. And if a woman, having been divorced from a man and all the marriage cattle having been refunded, returns to him again after remarrying, he cannot escape liability by merely retransferring marriage cattle: nor can he escape liability by showing that one bull was still due to him from the original marriage cattle. But against the case of desertion quoted above, it was held in another case that it was no defence, in the absence of a divorce, that a woman had been abandoned for six years.

It is no defence by a man taking a married woman to wife that her parents had agreed to the arrangement, even if her former husband was a leper and she had left him and returned to her parents, without the marriage cattle being restored.

Divorce

The court will attempt to reconcile a man and his wife, ordering a small financial recompense for a minor wrong. If the difference cannot be adjusted, a separation will be granted, compensation being payable to the wronged party.

If a man drives his wife away without cause, he is liable to forfeit three of his marriage cattle. For a man to withdraw marriage cattle on two occasions from his wife's family is tantamount to driving her away, even though a balance remains.

Where a man becomes a Christian, having previously contracted a pagan marriage, and his wife, given the choice of becoming a Christian also or of parting from him, elects to leave him, she has the right to recover three cows damages from him. In another case, a headman wished to become a Christian and divorced all his wives. His villagers declined to have him as headman if he were a Christian, so he repented of his purpose and took his wives back. One refused to come and it was held that as she had been sent away she had a right to regard the divorce as final and to recover three cows damages.

If a woman commits adultery, her husband may secure divorce and claim damages of three cows. But where she established that he had deserted her for a year, no damages were awarded. And where her conduct savoured of adultery but no case had been taken and she was willing to go with her husband, the claim for damages was not allowed. Where a woman bore a child by a man other than her husband and it died and she buried it without informing her husband, she was held to have committed a wrong against him which justified his divorcing her and securing damages of three cows.

If a woman seeks a divorce from her husband without due cause, she is liable to pay three cows damages. The divorce is only conditional until the damages and the husband's marriage cattle have been handed over, but where a woman has sued for a divorce and has guaranteed the payment of damages and the refund of all marriage cattle, the court cannot refuse to grant it. It is immaterial to the liability for damages that marriage cattle have not been transferred in full, provided that the number in the wife's family's possession exceeds three. If three cows and a calf have been transferred, a suit for damages lies, but not if there are three cows and a bull. *Note*:—In a subsequent claim for the recovery of marriage cattle, the fact that there was a judgment that damages should be paid was conclusive proof that the number of marriage cattle exceeded three.

No such claim for damages can be made when the husband has accepted the return of all or some of his marriage cattle : but if a man files two suits, one for damages and a second for the return of his marriage cattle, the fact that the latter is disposed of first does not debar him from establishing his claim to damages. Where a second husband had failed to recoup the first in all his marriage cattle, and the woman left him and returned to her husband, the second was unable to claim divorce damages (see also under Adultery—General).

If a woman seeks a separation from her husband on the grounds of neglect or cruelty and proves it, the divorce will be granted and the husband will forfeit one of his marriage cattle. Frequent and substantial ill-treatment must be proved, such as tying-up and beating, two beatings reported to the village elder or an offence proved in a Native Court. A woman may claim a divorce, with no damages on either side, if she is deserted by her husband for a period of six months or more : but there can be no claim to a divorce for this reason if the desertion is not wilful, e.g., where a man is imprisoned or is impressed for military service. Where a woman sued for divorce on the grounds that she had been deserted for three years, and her husband had admitted this but proved that he had contracted venereal disease from his wife, his claim for one cow damages was held to be balanced by hers for one cow damages on account of neglect. Mental cruelty is admitted as a cause of divorce as well as physical. A woman can claim a divorce without payment of damages if her husband goes and consults a Native doctor about her alleged barrenness without consulting her, or if he makes her perform duties not proper to her, such as herding cows.

Impotence is legitimate ground for divorce.

The spouse of a leper may secure a divorce without payment of damages, but it is no defence to an adultery charge, no divorce having been granted by a Native Court, that the offending woman's husband was a leper even though the new husband has started handing over cattle to her father. A claim by a woman that she should not pay damages on parting from her husband because her new mate was a leper, failed.

A girl, betrothed in childhood and due to be married on reaching the age of puberty, may claim release from the marriage without the payment of damages provided that she signifies forthwith that she does not wish to live with her affianced husband. Her right of choice continues until the marriage rites have been finished and she has actually gone to live with her husband. Puberty ceremonies in no way affect matters : and the essential point is not physical consummation but whether the girl lived overnight in her husband's home or not. Whether or not the circumstances are that damages have to be paid, the marriage contract is thereafter void.

For the rights of widows after being inherited by their deceased husband's heir, see under Inheritance.

A woman cannot sidetrack a suit for adultery damages by filing one for divorce : an adultery charge lies until judgment has passed in a divorce suit. But where the second, prospective, husband has transferred the necessary marriage cattle to a woman's father before taking her no adultery suit can lie. For exceptions to this and parallel cases, see under Adultery—General.

Damages on divorce are a charge on the woman's family, but the charge is transferred to the second husband when, as is normal, she remarries : but the responsibility of the second husband is subject to the exception that the father is responsible if he has accepted marriage cattle from the man. The cows in damages and the marriage cattle may be handed over direct to the former husband, or they may be handed to the woman's father. If they are handed over direct, one additional cow must be given to the woman's father in order to secure his assent to the new arrangement: if this is not done there can be no suit for damages against the woman should she subsequently wish to leave her new husband. But if the marriage cattle are handed to the father, for him to reimburse the former husband, he becomes a party to the transaction and no such cow need be paid, nor can he resist a claim for damages on this account.

Venereal Disease

Damages of one cow are payable by a husband or wife who transmits venereal disease to a spouse, and can be claimed by a husband against another man who gives venereal disease to his wife. In the latter case, coincidence of disease in the man and the woman is insufficient evidence: evidence should fulfil the same requirements as for adultery. A false accusation against a spouse of having contracted venereal disease is not a cause for divorce, but is to be compensated by payment of one cow.

Deaths

One cow must be sent for the funeral ceremonies of a near relative. This, but not any sent in excess, may be claimed back when an inheritance is divided.

It is incumbent, under penalty of compensation of one cow, for a husband to inform his wife's family of her death. The wife's family is bound to bring a cow to the funeral ceremonies, the number of marriage cattle transferred not affecting the position and such a cow is not reclaimable.

It is the prerogative of the *malafyale* to authorize the beating of drums for a funeral dance. He may permit certain of his relatives to give this authorization, but they must report to him before they make arrangements for the dance. (In certain cases they may arrange first, but must report afterwards.) If the headman is away, his representative will act, usually a member of the family, sometimes a *lifumu*.

Inheritance

Inheritance runs, not from father to son, but from brother to brother, including near cousins, provided that they are linked by having shared in the marriage cattle accruing from the marriages of their sisters and daughters. The head of a family is entitled to a share in the marriage cattle of his brothers' daughters, if he or his father provided all or part of his brothers' marriage cattle: and the sharing of such cattle by a man to his brother gives rise to a reciprocal claim as between the first cousins of the next generation.

Native public opinion likes to see as wide a circle of relatives as possible linked by marriage payments, and therefore within the inheritance group, and the courts will normally try to secure an adjustment when a dispute arises over an inheritance. But there is a growing tendency for inheritance to be confined to a group of near blood relations rather than to be spread over cousins and the inheritance may be divided when an inheritor and his presumptive successor are remote in relationship, on adjustment in respect of all cattle handed over or received by each party in respect of each other's daughters and sisters and of funeral ceremonies. Such counterclaims usually largely cancel, e.g., a case where a claim of 11 cows and 2 bulls resolved itself into a money payment of Shs. 10/- only.

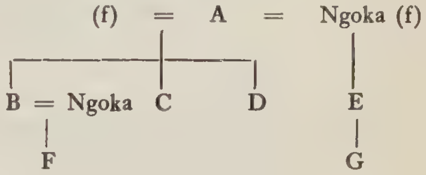
Inheritance covers not only cattle but the widow or widows, including the children of such widows. Such children cannot deny the authority of the inheritor nor claim for themselves, if male, the disposal of the marriage cattle accruing from the marriages of their sisters. It is immaterial whether the mother of such children was divorced from the deceased in his lifetime. If such a son denies allegiance to the family head, he has no claim to any share in the family cattle nor to the marriage cattle deriving from his sisters, provided that the family head has fulfilled the obligation of providing wives for younger members of the family. Again, one member of the family cannot inherit the widow and another member her children.

The status of a widow is that she owes full marital duties to the heir who inherits her, except that if she is past child-bearing age she is entitled to be provided for at the residence of the deceased. She may, however, seek a separation, without payment of damages, within a period of six months: if she acts later she must pay the normal three cows damages. But if she is inherited and is later abandoned, the heir cannot later claim dominion over her nor the marriage cattle from a daughter born of a subsequent union. Inheritance is arranged by the sisters and aunts of the deceased: where they acquiesced in a widow's refusal to live with the heir and she went to another relative, but no marriage cattle were refunded, it was held that the new husband should have custody of girl children subsequently born, but that he should hand over half the marriage cattle arising from their marriages to the real heir, in order to reunite the family.

The rights of an aged widow are the same where the heir is a Christian as when he is not: he cannot claim that because he is debarred from receiving widows by inheritance he is therefore freed from the obligation to provide for them. Conversely, where a Christian heir handed over a widow of his deceased father to another relative, he was not barred from receiving the marriage cattle in respect of her by way of reimbursement.

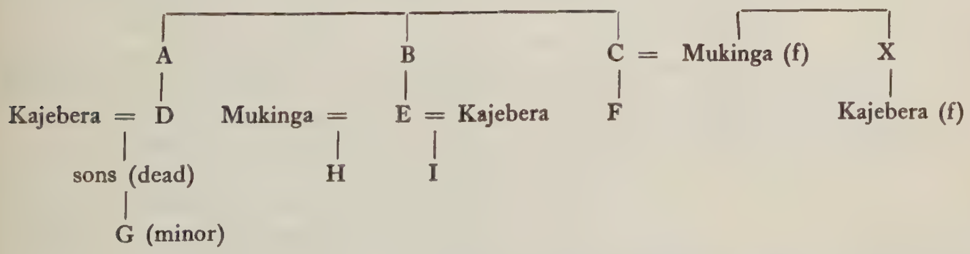
When an heir is a minor, other relatives will hold the property in trust for him till he grows up: but where a man's heir is his son, being a minor, and there is another adult son by a junior wife, the adult will inherit, and the minor from him in due course. There can be no inheritance through a woman where there are male heirs, and where a deceased's sister's son acquires a widow, the heir being a minor, he must refund the marriage cattle. Where a deceased's sister's husband takes possession of the property because the real heir is a minor, it is only in trust and must be handed over when the minor grows up. Where a man's sisters are holding his inheritance in trust for him in his absence (in cattle), these should be divided in proportion to the number of cattle which their marriages produced, and not all held by the eldest sister.

Certain complex cases arise where a widow is inherited and has issue, the effect being that the issue is elevated to the generation higher than the actual one by blood. Thus:—



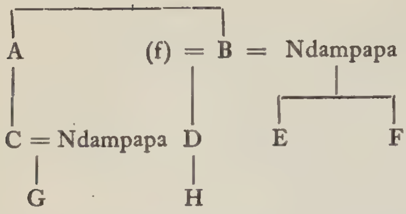
On A's death, B inherited, including the woman Ngoka, mother of E, and had male issue by her, F. The inheritance passed through B, C, D and E. On E's death, his son G could not claim that the branches of the family should separate and that he should inherit from E, because F was a brother of E by the same mother and must therefore inherit. In effect, B had raised up seed to A.

Again:—



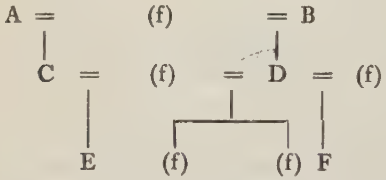
The inheritance passed from A to B, and thence to C and D, E however getting one widow of C's, Mukinga, by whom he had male issue. From D, the inheritance passed to E, including a widow Kajebera, by whom again he had male issue. E now died, and F, H and I all claimed the inheritance, F as linked cousin to E, H as his eldest son and I as a son raised up by E to D on the woman Kajebera. The finding was that F is the immediate heir and I the presumptive heir.

And a third case :—



B inherited from A and C from B, including the woman Ndampapa, by whom he had male issue, G. Inheritance continued C — D — F (E predeceasing F). Interchange of marriage cattle being proved, G is the rightful heir, as half brother of F, as against H, who will, however, succeed him.

The rule that inheritance follows the male line only is affected by marriage payments. Thus :—



A's widow refused to be inherited by his brothers because they had killed him, and went with her small son C to B. B provided marriage cattle for C and when C died, again leaving a small son, E, the widow was inherited by B's son D and had issue, two daughters. On D's death, his son F was the general heir. He was held to be entitled to half the marriage cattle from D's two daughters, because B produced C's marriage cattle. But E's blood claim could not be excluded and he was entitled to the other half of the marriage cattle.

Guardianship

Claims are frequent to the custody of female children, in respect of whom marriage cattle have been transferred or will accrue. Physical paternity is subordinate in such cases to the principle that the legal guardian of a woman's child is her own legal guardian. Thus if a man entices away the wife or daughter of another man, without recompensing her guardian by the transfer of marriage cattle, he has no claim to the issue of the union : the children and the marriage cattle in respect of girls are the property of the original husband or father. The mother cannot sue for the custody of a child, whether on behalf of her father, her husband or herself. Lower Native Courts have expressed the situation as being that a man who has not transferred marriage cattle is like a bull which impregnates another's cow, or a man who cultivates in another's garden.

By custom in some parts, a man parting from his wife and reclaiming his marriage cattle, leaves or used to leave one cow with the woman's family where she was pregnant, in order to establish a claim to the child when born. Such a child used normally to be left with its mother until, in the case of a girl, marriageable age approached, but a recent resolution of the Chiefs sitting in council has established a time-limit of six years within which the child must be claimed and this has been given effect to in several cases.

It has been held, on grounds of common humanity, though contrary to current Native custom, that where the right to guardianship has been legally established but the child is unwilling to leave the family in which she has been brought up, that she may remain with it on payment of three cows when she is married. And in a case where the mother's father had been adjudged to be the legal guardian, the present husband of the mother was allowed to retain the girl on payment of three cows, compensation for the cost and trouble of bringing her up. Such compensation is always payable where the man who has brought up the child is afterwards adjudged not to be the legal guardian, either two cows or three.

Where other evidence was lacking, a family likeness was accepted as evidence of physical paternity : and in another case, the evidence of the mother was conclusive in a conflict.

Debts

Except in marital cases, the progeny of cattle may be claimed as well as the original cows. In the absence of specific agreement, however, the calf of a pregnant cow which is sold is the property of the seller: but undisturbed possession for five years bars a claim. An heir is responsible for the payment of debts, including damages due by deceased in a marital case where judgment passed prior to his death.

The payment of a debt to a relative of the creditor does not absolve the debtor from responsibility.

Trading debts must be acknowledged in writing or before witnesses to be claimable.

If a cow deposited as a pledge dies as a result of an accident, the holder cannot claim another in replacement, though the liability to repay the pledge subsists.

Houses and trees

All trees of species introduced by Europeans remain the property of the planter if he vacates his land: but bamboos revert to the headman (*malafyale*). But a man cannot be said to have emigrated if he moves within a headman's area.

As indigenous trees belong to the community and introduced trees to the individual, so a house built of brick or stone may be sold, but not one of bamboos or grass. The latter are indigenous materials and belong to the country, even though the builder got them from a Forest Reserve and paid royalty. Out-of-pocket expenses may not be claimed for. In more detail, on emigration a house cannot be disposed of unless it is not of traditional type and is constructed in such a way or contains improvements of such a nature that the occupant has incurred financial outlay. The purchase of ordinary building materials—bamboos, grass, etc.—is an outlay common to all and is not included in the definition. An agreement for sale would, however, be operative if made with another person resident within the village, before witnesses, the *lifumu* being present and the *malafyale* informed.

Limitation

The principle is established that suits, where a number of years have passed since the subject-matter arose or where the original parties or witnesses are dead, are time-barred. A wage claim four years old was barred.

PROGRESSIVE ENGLISH FOR AFRICANS

By E. C. PARNWELL

Few will deny the need, so ably expressed in Dr. Edward Roux's article on *Easy English for Africans*,[1] for books in simple English using words which are likely to be understood by anyone who can claim a modest acquaintance with the language.

This need is by no means confined to Africa, nor is it newly realized. For twenty years or more it has been the subject of study by those concerned in colonial education and the teaching of English to " the non-English-speaking."

It is clear that Dr. Roux is considering a foundation vocabulary, not a restricted form of language and that he would be prepared to use additional words in a text so long as they were explained in simple terms. He is therefore following in the footsteps of investigators who have been seeking the best methods of compiling books *on the basis of* rather than *within* a selected vocabulary. There is here a difference in principle which has been the subject of controversy among the experts, but it is generally agreed that our African friends would have good reason to suspect our motives if they thought we were preparing for them some unusual method of speaking and writing English that would separate them for ever from cultured English society. On the other hand every intelligent African, if it is explained to him, can understand that some English words occur more commonly than others because of their usefulness in expressing the needs of everyday life ; and that it is therefore a good plan to teach these words first, before going on to less common words and less elementary expression of thought. On this account we speak nowadays of " control " instead of " limitation " of vocabulary ; for it conveys the idea of expansion rather than restriction.

In practice the difference, very broadly illustrated, is this : if one has to speak of a dentist, and the word " dentist " is not in the chosen vocabulary, it might be reasonable to say once " the tooth-doctor " or " the man who takes out your teeth " ; but to use these terms more than once in a book would irritate the reader as well as any English-speaking person. The better plan is to use the correct word and explain its meaning parenthetically or in a glossary.

It is no crime to widen a reader's vocabulary : in fact, it is in his interests to do so, so long as there are not too many unfamiliar words for him to cope with and their meaning is readily conveyed to him in their first appearance in the book he is reading.

The first essential, in writing for Africans and others, is to write simply, i.e. simply *for learners of the language ;* and that is a skill which entails careful study of method and long practice. While keeping conscientiously to a given vocabulary a writer could still turn out prose that would bristle with difficulties for foreigners.

The second essential is to see, in selecting one's vocabulary, that the necessary " structural " and " content " words forming the core of the language are all there ; otherwise awkward gaps will occur, which will be very hard, for an African writer particularly, to make good.

The third essential, before any project of this kind can really succeed, is to make sure (not merely to hope) that one's vocabulary and the common uses of the words in it will be known to one's readers. The only way of doing this is to secure the adoption of the vocabulary by educational authorities as the basis of all elementary courses in English for children and adults in the area under consideration.

If Dr. Roux's were the voice of one crying in the wilderness these three objects might appear to be some way from achievement, but fortunately more progress towards them than his article suggests he is aware of, has already been made by other investigators.

Dr. Roux does not tell us what led him to decide on 1,000 words as the limit of his draft list. Was it because he believes 1,000 to be the average vocabulary possessed by the " rank and file African who speaks English? " Was it because he wanted to offer on a similar scale a more practicable alternative to " Basic English ", or a vocabulary better adapted to African requirements than Hornby and Palmer's *Thousand Word English ?*

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[1] In this journal in December 1942.

About ten years ago Dr. Lawrence Faucett, whose work on the control of vocabulary in teaching elementary English is well known to colonial teachers and students (he was one of the collaborators in the *Interim Report on Vocabulary Selection*) made an interesting discovery. By plotting the results of his *Survey of English Word Values* he found that the sharply descending " frequency curve " flattened out somewhere near the 1200th word and ran almost parallel to the horizontal axis. This meant that beyond the 1200th word word-frequency began to lose its significance under the impact of widely varying subject-matter ; or, expressed in another way, that those 1200 words of high frequency formed the core of English. Exhaustive tests did in fact prove that they make up four-fifths of the vocabulary of ordinary modern non-technical prose. Should a " general purpose vocabulary " therefore consist of fewer than these 1200 words ?

It is reasonable to argue that, rather than fewer, a foundation vocabulary should include more words of wide range, in order to make it flexible and give it greater covering power. It was this consideration which fixed the *Interim Report* list at 2000 words, and enabled it to be such a valuable instrument in the teaching and writing of simple English.

If for a specific purpose it is necessary to reduce the extent of one's foundation vocabulary, a list of 1500 words might be, and actually has been experimented with successfully. A list of 1000 words may be made to " work " in a limited range of elementary studies, but experience suggests that restriction of the foundation vocabulary below 1500 words involves too many difficulties for the writer (especially the non-expert writer) to make the saving of words worth while. The reader is bound to need the additional words sooner or later, and it is best for him to acquire them at the outset.

With regard to the adoption of a foundation vocabulary for educational purposes Dr. Faucett visited Africa in 1935 and studied the Bantu, their languages and their schools. With the aid of experienced collaborators the vocabulary and method of his *Oxford English Course* were adapted to suit African primary school requirements. The outcome was *The Oxford English Readers for Africa* (by L. Faucett, I. Fremont and F. G. French), which in four years has become the standard series in use in practically all the African colonies. It is not yet so widely used in the Union of South Africa. If it were, Dr. Roux's worthy aims would come nearer accomplishment, for in the first four of these six small books no fewer than 783 of his 1000 words are taught in all their common senses and uses, singly and in combination, with the necessary syntax. The six books, which have a total vocabulary of about 1500 words, include 947 out of Dr. Roux's 1000. Thus the original selection is strikingly confirmed by Dr. Roux's independent research.

The following are the 52 of Dr. Roux's words which are not taught in this series :—

Nouns
apple
ash
bioscope
blade
brain
brake
card
chemist
chimney
chin
chocolate
collar
cushion
dam
devil
elastic
fowl
hotel
jelly
job
juice
kettle
loaf
mouse
peach
plank
razor
rubber
scale
shelf
sock
soil
soup
stockings
sponge
stove
strap
stuff
tray
worm

Noun verbs
chop
comb
cork
hammer
pin
polish
rent
screw
shave
vote

Adjectives
bitter
greedy

It is interesting to note that the variation lies chiefly in the nouns, which are obviously the most difficult words to choose for a foundation vocabulary. Many of those included in Dr. Roux's list, e.g. *apple, chimney, cushion, jelly, kettle, plank, stockings, sponge, strap,* should probably be given a lower rating in a rural African frequency-list than 1-1000; although town Africans might pick them up in their association with Europeans. *The Oxford English Readers for Africa* teach (among other very necessary words) all Dr. Roux's structural words, verbs, noun-verbs, adjectives, adjective-nouns and adjective-verbs except a mere dozen.

Moreover the vocabulary of this series is also the foundation for a growing number of simple reading books, for pleasure and for information, published by the Oxford University Press under the general title *The Oxford Progressive English Library.* The ninety books now available cover many subjects of interest to adults as well as to the young and introduce some hundreds of additional words valuable to the reader. They are based on a vocabulary rising from 500 to 1,000, 1,500 and 2,000 words. Most of the books come in the 1,500-word group, which has proved itself equal to all the demands yet made on it as a basis for general reading at the intermediate stage. The average number of additional words (which are glossed in simple terms) works out to one for every two pages of matter. These words are useful, in fact necessary, additions to the reader's vocabulary, as they form almost without exception the technical or semi-technical vocabulary of the subject of the book. No further study of that subject could be made by the reader without knowledge of those words. The reader's knowledge of English is added to, not restricted, as he reads.

Associated with the scheme and based on its standard vocabulary are series of textbooks for secondary schools in History, General Science and English Literature. These textbooks widen the student's vocabulary very considerably, by means of glosses, so that he may thereafter read ordinary books with no aid other than the occasional use of a dictionary. In this way the provision of easy reading matter is made an integral part of a constructive and comprehensive educational programme for Africans and all others with similar needs and aspirations.

* * * *

Dr. Edward Roux writes in reply :—

Mr. Parnwell has done a service in drawing the attention of readers of *African Studies* to the work being done at Oxford on the teaching of English to Africans. At the same time his article may lead to a misunderstanding of the role I wish to assign to my system of "Easy English for Africans", as I call it.

The Oxford workers are concerned primarily with the *teaching* of English. Their system has been developed as a result of a study of word-frequency in English literature, and they have tried to discover what words should be taught first to learners in the process of giving them a fair working knowledge of English. As an adjunct to its teaching system Oxford has given us the "Progressive English Library." These books are intended in the main for school use. In so far as they may serve the purpose of "home reading" they presuppose a knowledge of the words taught in school.

"Easy English" on the other hand is not primarily a teaching system. Its draft vocabulary is not based on the most common words in English literature but as far as possible on the vocabulary actually used and understood by African adults who buy books in English in order to obtain knowledge or to amuse themselves. It has been designed for the writer (or radio announcer etc.) who wishes to "put things across" to Africans through the medium of English. In choosing his words or phrases such a writer should be influenced by one main consideration: what are the words or phrases most likely to be understood by the readers (or andience)? "Progressive English" does not answer this question. "Easy English" attempts to answer it. This is not a criticism of the Oxford teaching method. It is simply a statement that the *aims* of the two systems are different.

Mr Parnwell has drawn attention to the number of words which are common to Easy English and the Oxford lists. I should like to enphasise that if any two systems of allegedly simple English are compared they are bound to show a tremendous number of words in common. (There is a hard core of about 500 essential words which must be included in practically *any* vocabulary). What is important is the fact that a large number of words are not shared by the two systems. We learn that most of the Oxford books come within the 1,500-word group, and they use 553 words not found in Easy English. It is probable that many of these are commonly used and understood by rank and file African readers who already know a certain amount of English. It is equally probable that a large number of the 553 words will not commonly be understood. The presence of such words is an embarrassment to the reader who is mainly concerned with what a book has to say, and they should be eliminated as far as possible in informative literature for adult Africans.

To the large number of Oxford publications intended primarily for school use this criticism does not necessarily apply. But it does definitely apply to the Oxford " African Welfare " Series. These may justifiably be compared to the books I am trying to get produced,[1] because their avowed object is the spreading of special information and not the teaching of English. Reviewing one of the African Welfare books (Africans and British Rule) in *African Studies* for March, 1942, I offered the following criticism :

" Just a word about the language used in this book. The text has been adapted to a standard vocabulary of 2,000 of the most frequently used words in the English language. Simple definitions of other words included in the text and not explained there are given in a glossary. It is encouraging to know that systematic vocabulary limitation is becoming an accepted principle in writing books for Africa. While it is true that the average educated Englishman reading this book would declare that it was delightfully simple and easily written, I doubt whether it would make easy reading for the average African who has not passed Standard VIII. Language simplification must go much further if books intended for Africans are to be read by more than a select minority."

Possibly " Africans and British Rule " is one of the more difficult books in the African Welfare Series. Let us therefore consider the language used in one of the least difficult, namely " Water and the Land." This has been adapted to the same standard vocabulary of 2,000 words. There is a glossary of 64 " less common words and technical terms." I agree that many of these technical terms are useful and even necessary additions to the reader's vocabulary. It would be difficult or impossible to write the book without at least some of them. But 64 new words in less than that number of pages are quite enough to go on with. Why therefore use a whole lot of additional unfamiliar and difficult words and expressions ? I give some examples of undefined words chosen at random, together with their Easy English equivalents ; actually (really), arrangements (way of doing things), unfavourable (not good for), rapidly (quickly), immediately (soon, at once, quickly), neglected animals (not looked after in the right way), skilfully manufactured (cleverly made with machinery), various (different), in connection with (in talking of). The list could be extended considerably.

A writer using Easy English would also try to avoid the following undefined definition words in the glossary ; cultivation, regular, possible, amount, protection, formation, small-scale, substance, controlling. Also he would not define *shift* as *move position*—if he found it necessary to define it !

It seems to me that the African Welfare books are in general not much easier in practice than many other books not written in a standard vocabulary, and harder than some. What is wanted is an experimental approach to the problem of simplified writing. Any alleged system of simple writing should be tested by means of comprehension tests on the readers for whom it is intended. I have tried to do this in compiling " Easy English for Africans." Easy English was produced in the first instance to help writers of informative books and pamphlets. But it may have other uses. I am at present busy on a dictionary which will explain in Easy English the meaning of all the hard words in other systems of " simplified English " (such as Basic English and the General Service List). With the aid of this dictionary Africans may be able to understand the 600 or so undefined hard words used in the African Welfare Series.

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[1] The following books have already appeared in " Easy English for Africans" ;
- *Harvest and Health in Africa.* Thomas Nelson and Sons.
- *The Cattle of Kumalo.* African Bookman, P.O. Box 3115, Cape Town.
- *Education Through Reading.* S. A. Institute of Race Relations.
- *Doctors and Witchdoctors* (forthcoming).

There appear to me to be two chief ways of giving Africans information in English. One is to teach them by some system (Oxford Progressive English ? Basic ? Michael West ?) and then write books in this system for them to read. The other way is to find out what English they know already and then write for them in a way they will understand. The first is a long-term, the second a short-term policy. Let the teachers of English go ahead. In the meantime I believe there are hundreds of thousands of adult Africans who can at present read Easy English. They want books now.

NOTES OF THE QUARTER

Professor R. F. A. Hoernlé

The death of Professor R. F. Alfred Hoernlé in July last is a great loss to South Africa and to many public causes.

Professor Hoernlé had a catholic mind. He was born in India where his father was head of the Calcutta Madrasah, (later he became Reader in Sanskrit at Oxford) and where his grandparents had laboured as missionaries. He spent his school life in Germany, from where he went to Balliol College, Oxford. He worked as a University teacher in Scotland, England, the United States, and South Africa. His naturally inquisitive mind and his urbane spirit were enriched by these experiences. He was interested in life, and he was always alert to new knowledge and wider experience of men and ideas. As a philosopher he rejected nothing that offered new material for the exercise of the philosophic function of evaluation, and students learned from his fascinating lectures to relate his teaching to the experiences of everyday life. As a citizen he brought to bear upon the problems of community life the relentless honesty of thought and the natural impulse to generous action that were so characteristic of him. No one could be in his company without being stimulated. By his challenging of conventional thought and conduct, especially where racial relations were concerned, he forced men and women to examine their own attitudes, and often to change them. Thus he stimulated both thought and action.

He had interests in many fields of work, but in this journal it is our privilege and duty to refer more particularly to his contributions to the advancement of African studies. His interest as a philosopher in social anthropology was all the greater because his wife, Mrs. A. Winifred Hoernlé, is a distinguished figure in that field of study, and was for many years his colleague as a teacher in the University of the Witwatersrand. He followed closely all that was published in social anthropology, more especially on the Bantu. He was also keenly interested in the theoretical discussions that have been taking place amongst anthropologists in recent years. His article in this journal in December 1940 on " Philosophers and Anthropologists " was a brilliant piece of controversial writing, which made one regret that he could not devote himself more fully to helping anthropologists in the development of their theories.

Students and research workers were greatly stimulated and helped by Professor Hoernlé and Mrs. Hoernlé. However searching their criticism of an essay or thesis, they never failed to encourage to renewed effort. They entered whole-heartedly into plans for research, and were always available for consultation. The most conscientious attention was given to any manuscript which they undertook to read, and their notes were astonishingly detailed. Professor Hoernlé was meticulously careful over construction and punctuation. He was no less particular about the accuracy and presentation of the subject matter.

Professor Hoernlé was closely associated with the early years of this journal, and his help as counsellor was always available. The Department of Bantu Studies in the University of the Witwatersrand owes a great debt of gratitude to him because of his advocacy when decisions were taken on academic matters. The Department of Archaeology of the University owes its origin to Professor and Mrs. Hoernlé's initiative and drive. And the students' Bantu Studies Society experienced a period of exceptional activity and usefulness when he was its President. His outstanding work for the Institute of Race Relations will receive fuller recognition elsewhere.

It is hard to grasp the fact that Professor Hoernlé is no longer with us. He was so sturdy and vigorous until within a few weeks of his death, and it is but slowly that his friends and colleagues are realising that his powerful resources of mind and spirit cannot be drawn upon for consultation or co-operative action. But the work he did, the institutions he helped to create, the causes he espoused, and the influence of his teaching and of his vivid and dynamic personality upon his students and upon all who had to do with him—these will continue to enrich us all.

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Review of Native Affairs

The Secretary for Native Affairs, Mr. D. L. Smit, has written an instructive Review of the activities of his Department for the year 1942. (Government Printer, 1s. 9d.).

The Review says that the Department has under its care the Native population of about 7,000,000 people in various stages of development, ranging from the primitive people of the reserves to the detribalised workers in the towns—a vast population of different tribes and dialects with problems and aspirations that vary according to their needs and outlook.

In some parts like Zululand, the old tribal system still continues with much of its former vigour ; in others again, like the Transkei and the Eastern Districts of the Cape, different degrees of disintegration have set in. In areas where the tribal system is still strong, it is the policy to recognise the Chiefs as a means of government of the people. In the areas, however, where there has been a gradual disintegration of tribal control, it is the policy to extend the system of elected local Councils which has already been applied with such marked success in the Transkei and other territories. Constitutional changes are contemplated which will give the United Transkeian Territories' General Council limited powers to make local laws. So far ten Local Councils have been established in the Cape Province, eight in the Transvaal, and one in Natal, and the further extension of local self-government is being planned.

To illustrate the diversity of interests over which the Department of Native Affairs has control, details are given of the new administration of the Eastern Caprivi Zipfel. This area is a portion of the mandated territory of South-West Africa, but since August, 1939, it has been administered by the Department of Native Affairs. The people there are mostly Barotse and they fall generally into two main groups—the Masubia and the Mafue clans, each under its own chief.

Sikololo, the language of the Makololo who dominated the strip in the early part of the last century, is the main language spoken, though the various tribes still speak their own languages in their homes.

In 1941 Mr. Smit himself was able to visit the strip to make first hand contact with local conditions. One of the immediate results of his visit was that it was decided to remunerate not only the chiefs, but also the *ngambelas* (prime ministers) and the members of the *kutas* (Chiefs' Courts). The Department maintains close contact with the officers who administer the adjoining territories of Northern Rhodesia and Bechuanaland.

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Woman Paramount Chief of Basutoland

Can a woman hold the office of Regent and Acting Paramount Chief in Basutoland ? An important case involving this question was heard recently in Maseru and the judgment of Mr. Justice C. W. H. Lansdown has now been published as a pamphlet by the Administration. A good deal of evidence was heard on the question of women's status under Sotho law and custom. The court held that the Laws of Lerotholi, the attempt to reduce Native custom to writing, was helpful though not conclusive on any question as to the existence of certain customary practices among the Basuto people. The court found that under the influence of Christianity, education, and other forces, Basuto customs were tending towards the improvement of a primitive social system, to the elimination of feudal privileges and to the advance from the idea of the family unit towards the larger appreciation of the rights of the individual. The practice of appointing women to the post of chief, sub-chief, and headman had encouraged the emergence of women from the state of tutelage which in earlier times applied to them. The court found further that the custom of *kenela*, whereby a man can step into his older deceased brother's place in relation to the widow in all matters of property and guardianship, had declined to such an extent that it was no longer binding on women. Although there was no precedent for the appointment as Regent of the senior widow of a Paramount Chief, there had been many cases in which the senior widows of chiefs had been appointed to vacant chieftainships for their minor sons. In the present case the proper procedure had been followed, and the position of Chieftainess Amelia Mantsebo Seeiso Griffiths was unassailable.

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Growth of Swahili.

A quickening interest in standard Swahili and the more recent literature in Swahili is shown by increasing inquiries from all parts of East Africa, says the 1942 report of the Inter-Territorial Language (Swahili) Committee, which now operates from Nairobi.

With the movement of troops and the increased facilities for travel, the demand for a common standard orthography has been repeatedly expressed. An example of this is found in the request for the Committee to produce a standard version of the Lord's Prayer and the Apostles' Creed that could be accepted by all shades of missionary effort. Drafts have been circulated eliciting encouraging comments.

Contact has been established by correspondence with certain centres in the Belgian Congo with a view to the co-ordination of Kingwana with standardized Swahili; also with the curator of the Zanzibar museum with a view to research and the preservation of old Swahili literature in Zanzibar.

During the year eight new works in Swahili have been published. Increasing difficulty has been experienced by the acute shortage of paper and the time taken in sending scripts to England. Most of those published have been printed locally, either by the presses of local missions or by the C.M.S. Bookshop in Nairobi.

The manuscripts of twenty-five additional works were submitted to the Committee's readers. Of these an outstanding one was a translation of "The Battle of Britain." Four entirely new were tribal histories, which had been entered for the Swahili authorship competition, and one was a work of fiction of very considerable merit by an African author. Others were local school textbooks dealing with agriculture, physical training and general instruction. Three dealt with aspects of religion and were submitted for the purpose of securing the Committee's imprimatur for standardized orthography.

The sixteenth issue of the Committee's Bulletin was published, setting forth the findings and suggestions of the Committee in relation to various aspects of Swahili grammar and usages, and new word-equivalents.

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Native Welfare in Southern Rhodesia.

Dr. Max Gluckman writes :—

"The Council of the Federation of Native Welfare Societies of Southern Rhodesia met recently at Gwelo. Much of the work of the Federation deals with the legal, political and economic status of Africans, and involves co-operation with Government Departments. The Secretary for Native Affairs, who attended the meeting, commented on the happy way in which the organising secretary, the Rev. P. Ibbotson, had worked with him and his officers.

The Council considered a series of resolutions affecting Africans. These resolutions dealt with the present and future possibilities for Africans to get skilled work in postal, veterinary, agricultural, clerical, educational and welfare work; beer-halls; the formation of Native marketing boards; location advisory boards; hire-purchase by Africans; national health services for Africans; land problems; prices of goods, schooling; hospitals and clinics; African representation in Parliament; Native councils; de-stocking of reserves; blind Africans; hut tax collection; indigent aged Africans; the co-operative movement among Africans; workmen's compensation; pensions; and propaganda for Native welfare in European schools. This bare list cannot show the energy and keenness which was manifest, but indicates the scope of the Federation's work. The answers given by Government Departments to these resolutions throw much light on Africans' status in Southern Rhodesia, and their chances of improving it.

Another side to the Federation's work is the investigation of problems and population surveys. One by Rev. P. Ibbotson on 30,000 urban Africans is to be published shortly. He is also to make a survey of African girls and women employed in Salisbury with a view to advising the City Council of the desirability of erecting a hostel for African girls; and also a survey of Africans in Plumtree.

The Federation publishes a pamphlet by Mr. Roger Howman on *The Native Labourer and His Food.* The writer is a Native Commissioner and his pamphlet is a concise and vivid description of African tastes and likings in food."

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Zulu Booklets

We draw attention to two publications of the Native Education Department, Natal. *Zulu Terminology* is a handy summary of decisions taken in 1938, and gives lists of Grammatical, Literary, Geographical, Nature Study, Phonetical and Anatomical terms with their suggested Zulu equivalents. *Zulu Orthography* is a reprint from the "Native Teachers' Journal" of April 1943, prepared by S. B. Theunissen, and giving final decisions on the details of this subject. These publications mark an important step forward in the standardisation of Zulu.

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"The African Bookman," a new publishing firm in Cape Town, has shown commendable initiative in publishing in Zulu two little booklets of great practical value to Africans. The first is *Aɓomdaɓu namaphoyisa*, a translation of Julius Lewin's "Africans and the Police," which was issued in English in 1941 by the S.A. Institute of Race Relations. The second is E. Roux's *Izinkomo zakwaKhumalo* with practical hints on improving agriculture and farming. Both booklets are in good flowing Zulu and should do a great deal of good. They certainly meet an educational need.

CONTRIBUTORS TO THIS ISSUE

G. **Nakene** is an African graduate of the Witwatersrand University. He is now principal of the secondary school in Orlando, Johannesburg.

C. T. **Shaw** is on the staff of Achimota College in the Gold Coast. He is also curator of the museum there.

G. **Beresford Stooke** is Chief Secretary to the Government of Northern Rhodesia.

E. C. **Parnwell** is on the staff of the Oxford University Press. He collaborated with Dr. Lawrence Faucett, the author of the Oxford English Course, and in recent years he has developed the system known as Oxford Progressive English.

R. **de Z. Hall** is a District Officer in Tanganyika.

BOOKS IN REVIEW

A Black Byzantium. The Kingdom of the Nupe in Nigeria. By S. F. NADEL. 1942. *Oxford University Press.* London: Milford. 420 pp. 25s.

This is a very valuable contribution to African anthropology and to sociological science. It is a penetrating and comprehensive study of a difficult field—a big continental state of great structural complexity and cultural heterogeneity. Dr. Nadel himself comments on his research difficulties, and he is to be congratulated on the excellence of his data and the extent to which he has been able to back his arguments with statistics.

All the more the pity then that he has obscured the worth of the book by failing to stress clearly his main arguments. He has hounded after every theoretical hare he scented and the unfortunate result is that the book is filled with so many sociological arguments that analysis of the minor problems distract attention from the central theme. Each analysis is good, but a dominating plan is lacking. In my opinion—many anthropologists may not agree—it would have been a better book if Dr. Nadel had concentrated on working out, in the same length, the dominant political and economic principles and merely brought in his host of other problems in so far as they were relevant to his main analysis, without pursuing each to its logical end.

In this short review I merely mention that he deals with the practical problems involved in modern Nupeland's development, for he spurns " the spurious detachment " of some sociologists from " the problems of our existence as society and civilisation." To everyone interested in African change his criticisms and suggestions are of great value.

The scope of his more theoretical sociological problems may be briefly summarised.

He defines very carefully the concepts of culture-groups, tribes, sub-tribes and communities. His analysis of the relations of cultural, political and ideological uniformity, conformity and divergence within and between the groups in the state is a material contribution to this most difficult of problems. His comparison of household and other local groups, marked by co-optation and lack of specialised functions, with political and other groups in which behaviour is co-ordinated and directed to specific purposes, is most significant.

The Nupe state is a type of African society not previously analysed by sociologists and it presents political problems of great intrinsic interest. Dr. Nadel discusses these with penetration. He reconstructs the growth of the original Nupe kingdom and its absorption by the expanding Islamised Fulani who established a feudal type of society, marked by great emphasis on relative rank and the struggle to rise in rank. The relations of classes (royalty, feudal lords, officials, commoners, and slaves), in privilege and mode of life; the institution of clientship; the position of intelligentsia and craft-guilds; the way in which the nobility uses social mobility for its own protection in the structurally unchanging class-system—these are a few of the points that are woven skilfully into Nupe material. A few others are:—the political importance of feudal and other land-ownership and tenancy; propaganda; the struggle of commoners to use the political system to protect themselves; the spread of a central system of law; the adoption of Islam, and its power withal with the retention of Nupe emblems and rituals. He also considers the effects of Nupeland's absorption into the British Empire.

The political system pivots on the Emirate. The heir is chosen in turn from each of three dynasties of the original Fulani conqueror's descendants. " Every possession or privilege linked with Nupe kingship reflects the tripartite arrangement " which runs through organisation of Government, ranks of courtiers, local divisions of town and country, craft-guilds, etc. While an Emir rules he tries to strengthen the economic position of his own house. Internecine struggles centre in dynasty rivalry. This segmentation is of deep interest: for the author, it is one of the main balances of the political system and he regrets the Administration's misunderstanding attempt to abolish it. He speaks of Nupe unity consisting in the opposition of the dynasties and loyalties to them. The argument that political societies tend to segment into hostile sections and that their hostility is the obverse of political unity, is becoming one of the main problems of African sociology. Evans-Pritchard posed it first and most dramatically on the Nuer, and later Anuak, and Fortes has analysed its occurrence in Tallensi society. I myself have discussed the segmentation of the Zulu military state (all in *African Political Systems*). Dr. Nadel now shows similar structural principles in the highly organised Nupe state.

In a series of chapters on economics, the book describes minutely Nupe production, storage, distribution and consumption. Both their agricultural and their industrial technologies are highly efficient and specialised, and as they are also an entrepôt between Northern and Southern Nigeria, trade is highly developed. He concentrates on the organisation of labour—the difference in the occupations of townspeople and peasants and of classes; the craft-guilds; the division of labour by sex and the contributions men and women make to household economy; the *efako* kinship group of workers whose head takes all produce and takings and allocates them to the group-members, as contrasted with *buca* individual work for a man's own profit. He relates this organisation of labour to wealth and profit, provision of capital, maintenance of labour, allocation of work in complicated production, and apprenticeship and learning of work. What will strike South African, and even Rhodesian, students is the money poverty of the Nupe and the absence of large-scale migrant labour. The latter provides us with invaluable comparative material for a study of the causes of group-disintegration and -development in modern Africa. Despite it, the *efako* group is declining. I have suggested that migrant labour in Zululand contributes to maintain this type of grouping (*African Studies*, Vol. 1, No. 4, p. 259), which is the opposite of what is usually assumed.

At the end of these chapters, Dr. Nadel discusses the striking of an " Economic Balance: Means and Wants " in Nupe society. Here he achieves a masterly reconciliation of the economic theory of choices and incentives with social economics. This is one of the best chapters in the book, viewing at a glance economic motives, class struggle, the barriers of poverty, the spirit of the society. It passes into " Economics and Social Structure " and " Education for Citizenship ", and these three chapters to some extent, with the addition of other material, pull together the diverse problems of the book.

I cannot begin to discuss the host of interpolated problems with which Dr. Nadel deals. Though I feel they were better written on elsewhere, each in itself provides stimulating reading. I particularly remember an analysis of how sterility in women, socially condemning, opens the door for these women to big trading interests, including prostitution.

Where there is so much to be grateful for, I force myself to one last cavil. I consider that there is too much Nupe about the book. When one is immersed in a sociological analysis, suddenly a curtain is raised and behold! the Nupe. " I will now describe the scene one will meet on the Nupe fields when ploughing is in progress. The farmer has divested himself of his superfluous clothing, his food and watergourds, and has placed his things out of the way, under a shady tree. Perhaps he has his small boys with him whom he lets play by themselves in a corner of the field while he goes on with his work." . . . and there follows a meticulous description of how each seed is put into the ground and covered. I cannot help feeling that this is irrelevant and that the " real-life " touch detracts from the book's worth by distracting from the argument. However, I am aware that many anthropologists do not share my dislike of this kind of descriptive irrelevance, which adds as little to our own or residents' understanding as the little boys contribute to agricultural production. I appreciate that we have still, to some extent, to provide detail for local Europeans and to give our books historical value for the societies we study, but this is not the same as "bringing the Nupe alive." In line with this, is Dr. Nadel's constant use of Nupe terms, even after he has defined them by reference to English equivalents. The reader, who does not know Nupe, finds it difficult to carry many of these clearly in his head. In Dr. Nadel's defence, I must point out that, as he puts it, Nupe is "an unknown social realm": the bibliography gives only eleven books as mentioning it, even cursorily.

The book is not easy reading, but it is good, solid, worth-while reading. It justifies much pondering.

MAX GLUCKMAN.

Stamregering by die Tlhaping. Deur F. J. LANGUAGE. Stellenbosch: *Pro Ecclesia Drukkery*. 1943. Pp. xix, 177. 5s.

This little book is an important contribution to the ethnography of the Southern Bantu. It is one of the few available monographs on tribal government, and will be indispensable for comparative studies of that topic. It is also by far the fullest scientific account yet published of any Tswana tribe in the Union, and so helps to fill a conspicuous gap in the literature dealing with these people. The great bulk of the material was gathered by Dr. Language himself, during several field trips in 1938-40, but he has also made good use of the information contained in the much earlier writings of Campbell, Lichtenstein, Burchell, and Moffat, who carry our knowledge of the Tlhaping back to the beginning of last century.

Chapter I describes in detail the present territorial organization of the Tlhaping. During the past century or so, this aspect of tribal life has altered very considerably. In the old days the great majority of the people lived together with their chief in a large central town, whose population at times exceeded 10,000. Such settlements are still found among the Tswana tribes of the Bechuanaland Protectorate. The modern Tlhaping, however, are scattered over their tribal territory in much smaller groups, the chief's village now being inhabited only by himself "and a couple of the most important families." Dr. Language discusses fully the causes that have led to this decentralization, and shows also to what new forms of territorial organization it has given rise.

Chapter II, entitled Central Administration, deals in the main with the various officials attached to the chief, and with the different types of tribal council. Here, as in other sections of the book, Dr. Language describes both the traditional institutions and their modern counterparts. The next two Chapters discuss (a) the rules of succession to the chieftainship, and (b) the education and installation of the heir. Both are very detailed, and contain much new and interesting information that differentiate the Tlhaping from other Tswana tribes.

There is, however, an unfortunate defect in this whole portion of the book. In his Ph.D. thesis, of which the book is an extract, Dr. Language had several chapters discussing at great length the position of chief in the religious and economic life of the tribe. These chapters have been omitted here, with the result that the reader is given comparatively little information about what is of course the most important feature of tribal government—the rights and duties of the chief. It is only in Chapter V (the judicial organization) that the omission is to some extent remedied, but the effect is to convey a distorted picture of the part played by the chief in the life of his people.

The final chapter summarizes briefly the main features of Tlhaping political organization and compares them with those of other Tswana tribes. Here Dr. Language shows how ably he has mastered his subject, particularly when he discusses the factors responsible for the respect and reverence with which the chief is usually treated. But since some of his conclusions presuppose a detailed knowledge of the chief's religious and economic functions, the omission of the chapters dealing with these aspects is all the more regrettable. We trust that Dr. Language will find it possible to publish them soon, and thereby make completely available what is in its entirety an outstanding piece of work.

I. SCHAPERA.

The Black Man's Burden. By JOHN BURGER. 1943. London: *Gollancz*. 252 pp. 7s. 6d.

This is unquestionably the most concise, comprehensive, and readable book on South African Native policy that has yet been published.

A short history at the beginning gives the reader a bird's-eye view of South Africa—its varied peoples, its industry, its political parties. The author then describes living and working conditions of all sections of the South African population, showing how the colour bar permeates and affects all things.

The Native reserves are exposed as areas set aside to provide a reservoir for cheap labour. Conditions here must necessarily remain bad enough to force adults to seek work on European mines and farms. They are, in fact, so bad that many men grow up unfit to be workers.

"That the employers of labour are running things pretty close at the moment is shown by the fact that, of those males in the Reserves who offer themselves for mining, 25 per cent are rejected as medically unfit."

The author makes clear the disastrous results of a policy of indiscriminate protection of South African agriculture. Production costs increase while the bulk of the population remains too poor to provide an internal market. Hence the necessity for export subsidies. Food is sent out of the country at great cost, while the majority of its people starve. "A crazy economy."

We are shown how the application of the colour bar or segregation policy to finance results in the African being forced to pay out of his meagre earnings for his own social services. These are, therefore, practically non-existent, and a low standard of education and health is the rule. This, in turn, causes low productivity.

Among workers, too, the colour bar operates. Most trade unions exclude non-Europeans. "Their traditional policy has been to protect the high wages for skilled labour at the expense of the rest of the workers. . . . . The large majority of European skilled and unskilled workers, will, on a question of the colour-bar, line up on the white side of the bar."

A few minor criticisms of the book might be made. There is a tendency to interpret figures somewhat superficially. For example, a statement that the producer is exploited by the merchant is supported by the following figures: "In 1930 the producer received 17s. a bag for wheat, and the consumer paid 63s. a bag for meal. The corresponding figures today (1939) are 21s. and 35s." The reader gains the impression that the difference between the amounts received by the producer and paid to the consumer is pocketed by the merchant. This is not correct, for milling costs (7s. 9d. per bag) must be taken into consideration, and the fact that the process of milling entails considerable loss in weight.

Readers will regret that the author hides his identity. We would like to know who "John Burger" is so that we might give ourselves the opportunity and privilege of discussing with him those aspects of the South African problem with which we are particularly concerned. This book establishes his right and authority to advise us.

P.A.E.

Inzuzo. By S. E. K. MQHAYI. 1943. Johannesburg: *Witwatersrand University Press*. 100 pp. 2s. 6d.

Inzuzo ("Gain") is the title of the seventh volume recently issued in the Bantu Treasury Series edited by Professor C. M. Doke. The author, S. E. K. Mqhayi, from whose numerous Xhosa productions the present poems have been chosen explains that the title is designed to indicate "things rare and profitable."

This claim is justified by the contents because the author is without a peer among writers of Xhosa poetry, living or dead, when judged by the quantity and calibre of his output, much of which has not yet been published in book form.

The arrangement of the poems in this book is in five sections: 1. Didactic poems on subjects like Truth, Hope, Love, and so forth. 2. The passing of the old years and advents of new ones. 3. Obituary eulogia. 4. Praises of Africans who have travelled overseas. 5. Miscellaneous poems.

It is rare indeed to find other good poetry written in Xhosa on some of the subjects named, but with Mqhayi it is characteristic and it has deservedly earned him the popular appellation of "*Imbongi yesizwe*" (equivalent to Bantu Poet Laureate). Many of the poems are informative, and indeed "profitable" because informative, e.g. "Amagama omCebisi" in appreciation of the bi-monthly agricultural journal published at Umtata by the Bunga. The topic of the expiration of one year and the incoming of a new one is almost Mqhayi's annual exercise and monopoly, and he does it with gusto. The variety of stanza forms in this selection inevitably invites comparison with *Inkondlo kaZulu* by B. W. Vilakazi (Volume 1 in the same series) but in the Zulu language. Both authors employ forms definitely imitative of English rhymes such as the long and short metres, the sonnet and the heroic couplet. Both excel in their infinite variety of rhymes and rhythmic movement such as is also to be found in *UmYezo* by J. J. R. Jolobe (Volume 2 in the same series).

With regard to diction, Vilakazi frequently uses archaic and extraneous words imported from the neighbouring South African tongues. But Mqhayi in the pieces included in this book employs archaic words with a moderation that just obviates their getting in between the reader and the subject matter as an obstacle, and he makes very few excursions into non-Xhosa words. This moderation, however, is absent in many of Mqhayi's poems outside of this volume.

Mqhayi is indeed a master of variety of phrase. He meticulously avoids the boredom of repeating any particular idiom beyond necessary limits, e.g. the numbers headed "*ESandlwana*," "*A! Zweliyazuza*," and others.

For sheer eloquence the poem *Amagama omCebisi* is probably the most fascinating in this book, closely followed by *UJujuju kwelakwa-Nyawuza*; but even these are easily surpassed by other poems by the same author which are not yet published in book form."

This book has the merit of displaying Mqhayi in his excellence in pieces polished with the delicate touch of Jolobe as well as pieces typical of the vigorous martial African manner as witnessed in the Sotho *Lithoko tsa Marena* (Praises of Chiefs) or the Zulu poetry poems by M. J. and C. Mpanza, while there are many other types between.

It is this versatility and copiousness that give Mqhayi his unrivalled place in Xhosa poetry, and possibly in all Bantu poetry.

D. D. T. Jabavu.

Science in Africa. By E. B. Worthington. 1938. London: *Oxford University Press.* 746 pp. 10s. 6d.

Dr. Worthington has had considerable field experience of zoological work in Africa, and accompanied Lord Hailey on his tour of West Africa and the French Sudan. He was asked to prepare a report for the African Research Survey on scientific work that had a bearing on African problems. The committee decided that the report merited publication in full, and Dr. Worthington was asked to present the data in a suitable form. This book is the result.

The committee decided, in the interests of objectivity and impartiality, that the book should take the form of a survey. This has enabled the author to collect and arrange a mass of facts in logical order, and has resulted in a work singularly free from any expression of personal predilection or enthusiasm.

The value of the book to scientific workers engrossed in specialized problems is limited, because relatively little space is devoted to any one field. It is assumed that the book is meant for those who have to deal with, or are interested in, more general or larger scale problems. The information gathered here should be of great value to all those, whether scientific workers or no, who have in mind the interests and well-being of the inhabitants of Africa.

The arrangement of the material is excellent. The presentation is well thought out and, in spite of the 700 odd pages of facts, there is little trouble in abstracting information relevant to any particular argument. The first chapter, "Some problems of Research", sets the tone of the book. In it, the author stresses the interdependence of the so-called branches of science: throughout the book the manner of presentation emphasizes this outlook.

The first ten chapters deal with the basic applied sciences. Geology, the study of the earth's structure, has yielded results of immense importance to agriculture. However, in Africa, as in other parts of the world, these studies have mainly been stimulated by the urge for developing mineral resources. Thus results of use to agriculture—such as the development of water supplies—have been to a great extent incidental.

Meteorological knowledge is of great value in this continent of diverse and apparently fickle climates. Unfortunately, accurate records do not go back long enough for us to answer with any certainty such questions as " Is Africa getting drier ? " Our knowledge of the geology of Africa is also not sufficient to enable such questions to be answered, although it appears likely that we are emerging from a wetter period. Long range weather predictions would obviously have important implications. So far such attempts have not been remarkably successful.

The author then goes on to abstract the voluminous work done on insects, plants, and animals. To each of these he devotes a chapter. Insects, such as the mosquitoes (which carry malaria and yellow fever) and the tsetse fly (which carries sleeping sickness of man and nagana of cattle) dominate large tracts of Africa. Colonisation is often difficult and often impossible because of insect pests of plants, animals, and man.

Botanical studies have a variety of practical applications. It is a tragic fact that despite our poverty in forests these are rapidly being destroyed. This often results in a serious depletion of water supplies. Instead of the rain soaking into the soil and reappearing as perennial springs, the water drives off in torrents, leaving the country to suffer practically desert conditions during the lengthy dry season characteristic of Africa. The Japanese, whose country is very thickly populated and who have no superabundance of food, have tackled soil erosion with determination. It is significant that 67 per cent of Japan is under forest compared with 8 per cent of Africa and 2 per cent of the Union of South Africa.

The latter part of *Science in Africa* deals with agriculture and with studies more intimately associated with man. The dependence of plant and animal industry on the work discussed in previous chapters is emphasized and the need for co-ordination of research and administration is made evident. Chapters 15, 16, and 17, which deal with human diseases, medicine, and related subjects, bring home to us the difficulties that we face because of the large deficiencies in our knowledge. Even more alarming is the evidence that the majority of the 100-200 million inhabitants of Africa are deplorably unhealthy and undernourished.

Dr. Worthington rightly states " the view is generally held that so long as facilities for research are limited, studies which are likely to lead to the promotion of human welfare whether of Native African or immigrant races, should take precedence." Therefore researches into conditions that govern the production of food are of prime importance and urgency. The application of knowledge that we already have is still more urgent. The larger part of Africa has soils that are intrinsically poor and peculiarly liable to deterioration through ill-judged husbandry. The richer soils are therefore overworked and they too become progressively poorer. It is thus of vital importance that soil sparing methods of husbandry be devised and brought into practice. Research and administration must also be directed to the problem of opening up areas which because of the scarcity of water or the presence of disease cannot support adequate populations.

Clearly, the educational backwardness of Native Africans hinders improvement in their economic condition. Practically all the scientific work has been done by Europeans, naturally in fields that directly or indirectly give quick returns. The gulf between the European and the Native African economic status is so great that the Africans cannot by themselves support anything like an adequate number of the relatively very expensive European scientific workers. Comprehensive investigations of African problems will depend largely on the extent to which the indigenous races can supply their own technical workers.

It would have been interesting had *Science in*

Africa contained a chapter on work done in industrial development. Many scientific workers have little contact with this type of technical work, and know little of its social, economic, and scientific implications. Industrialization may have so great an influence on the development of Africa that its beginnings possibly deserved notice.

While admitting the excellence and usefulness of Dr. Worthington's survey, one cannot help feeling that he has been objective to the point of being colourless. This may limit the readers to those who must use the book as a reference work. Hailey, in *African Survey* is far more trenchant and therefore far more interesting. Dr. Worthington, although standing on surer ground, remains completely imperturbable. Some rather shaky proof-reading mars an otherwise excellent production.

M.S.

Children at Home and at School. By JESSIE HERTSLET. 1942. London: *Oxford University Press.* 82 pp. 1s. 6d.

Mrs. Hertslet has set out to write a booklet giving practical advice to African parents on how to bring up their children. In attempting to assess how far she has succeeded in this aim one must take into account the fact that there are two main types of African to whom the pamphlet might be addressed. For Africans who are still wholly or even partially under the influence of tribal customs, it can have little value, since the picture it paints of the parent-child relationship among Africans is one which is completely contradicted by that drawn by any competent observer of tribal life. For instance, Mrs. Hertslet implies that the Africans to whom her advice is addressed have little or no understanding of or sympathy with a child's problems, and that they " push him into a lowly place where he never feels at ease with grown-up people." Yet any account of childhood in a Bantu tribe makes it quite clear that the child is regarded as an integral part of the community from the moment of birth, and that the cleavage of interest between adult and child, so characteristic of most modern Western societies, is entirely absent.

It seems more probable, therefore, that Mrs. Herslet intended to offer advice to the detribalised and more or less Europeanised Africans who live in the big towns and cities. Even so, in dealing with matters such as the sex instruction of children, the necessity for giving the child a sense of social responsibility, family relationships, etc., surely it would have been wise to use the old tribal methods of solving these problems as a basis of discussion, rather than refer almost exclusively to the somewhat imperfect modern European attempts at solution? Yet, except for one or two passing references to " the old African way of life ", no mention is made of the original tribal system of education.

On the positive side, the booklet is valuable in so far as it emphasizes the extreme importance of the early years of childhood, the interdependence of physical and psychological health, the necessity for combining a certain amount of discipline and routine with sympathy and insight into children's difficulties, etc., etc. In dealing with problems such as fears, night-terrors, jealousy and temper tantrums, Mrs. Hertslet's advice is, on the whole, psychologically sound and simply, though somewhat sentimentally, expressed. One of the most useful sections in the book deals with the way in which African parents can help their children to get the maximum benefit out of their schooling. Surprisingly, however, no mention is made of the value of nursery schools as the ideal means of ensuring that the children of working mothers will be physically and psychologically well cared for during the absence of their mothers in the daytime.

There is undoubtedly a great need for a booklet of this sort, and Mrs. Hertslet's attempt to fill it is not without merit, though rather disappointing in certain respects.

JOAN PHILIPS.

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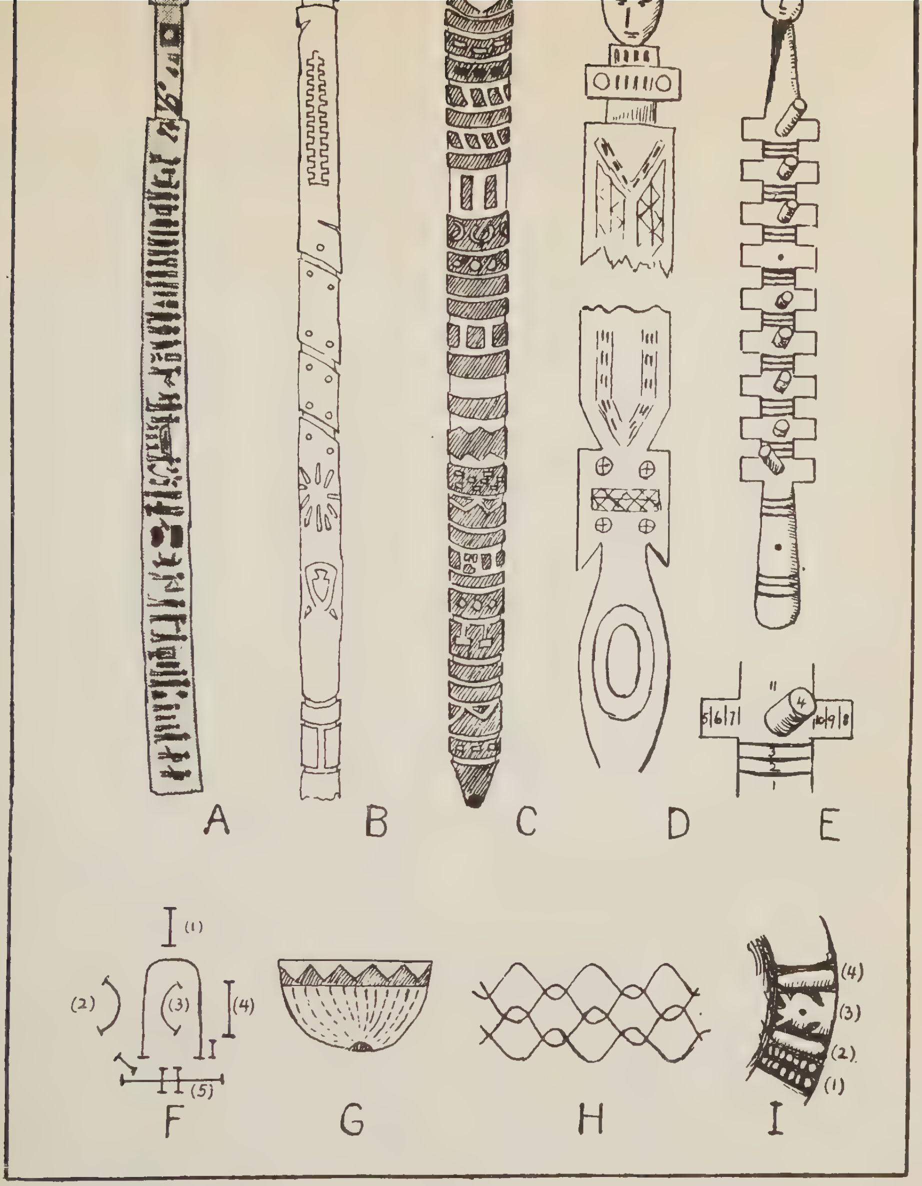

A: Belgian Congo, Message Stick (after Sir Harry Johnston).

B: Kamba, Initiation Tally (after Hobley), showing centipede, spider and tortoise.

C: Chaga, Initiation Tally, (¼ nat. size), showing signs used in teaching marital and civic matters. The tally frequently represents parts of the human body or the embryo.

D: Nika, Grave Posts (after Hollis), possibly indicating body of deceased.

E: Pangwe, Guessing Stick (after Tessman), with multiple representation of human limbs. The inset shows a detail.

F: Ekoi, Nsibidi Script. The passage reads: A man (1) has eloped with a woman (2), he pays compensation (3) to her husband (4) and to her family (5).

G: Kikuyu, Detail from Song Gourd (after Hobley). It represents both a leather belt worn by women and the hindquarters of a hartebeeste. About both subjects songs are made.

H: Shongo, Geometrical pattern drawn in the sand by children (after Torday).

I: Venda: Detail from Divination Bowl (after Stayt). It represents (1) special combination of divining dice; (2) Stick carried by wizard; (3) Familiar sent by wizard; (4) Gate pole of the victim's kraal. The whole section (1-4) refers to people of the Ngona clan.

THE AFRICAN CHAPTER IN THE HISTORY OF WRITING

By O. F. RAUM

I.

1. Three fundamental errors strike the reader of the current histories of writing. The first is the omission of African material. For this anthropologists and ethnologists dealing with African cultures are chiefly to blame. Too frequently they are satisfied with the comfortable generalisation that "the peoples of Africa have not yet risen to the stage of education which can produce written records of important events or institutions", or, put less charitably, that "the heathen of darkest Africa are unlettered." This *a priori* judgment is linked with the second error, namely, the development of writing is defined as the evolution of the alphabet, the technical simplification and conventionalisation of certain graphic symbols which originally represented objects and later came to stand for sounds or phonetic entities. The far more interesting history of writing which precedes the fixation of symbols, that is the stage of pictographs and ideographs, is rarely, if ever, discussed with reference to African material. This neglect of the obscure antecedents of writing is due to the third error; namely, the narrowness of outlook in the discussion of African writing is inevitable as long as the outdated definition of language as a means of communicating thoughts is retained. This is not the place to give a definition, or to indicate the conditions which it would have to satisfy in order to become acceptable to anthropologists. But it is necessary to outline briefly the facts which would have to be covered by a sound definition of language. For if writing is the graphic symbolism of language, it necessarily must represent language in all its aspects and not only as a means of communicating one person's ideas to another.

2. I think four chief aspects of language have to be distinguished. Genetically speaking the production of sounds occurs so early in human life, that the first sounds cannot be explained as expressing or conveying any meaning. They are simply the result of the playful exercise of the speech muscles,[1] just as similar exercise of the muscles of the leg leads to kicking. This "behaviouristic" aspect of speech is retained throughout life: the babblings of the new-born change into the sound-monologues of the toddler; they are continued in the jingles and tongue-twisters of the child, as well as in the language perversions of the adolescent; they find their culmination in the alliteration and rhyming of poetic language and the rhythmical cadences of great oratory.

Besides this aspect of language, which is based on the structure of the organs of speech, three derivatory functions of language can be distinguished. The cry of the infant is not always neutral in meaning. Its cooing after a feed expresses a pleasurable state; its whimpering indicates some bodily discomfort; its screaming calls for assistance; its shout expresses impatience or anger at the postponement of bodily satisfaction. Here we have languages as a register of emotional states and an indicator of conative tendencies. In this role language is at first involuntary and sound-groups are more or less interchangeable. But soon the reaction of the child's parents to orectic sounds leads to their fixation and differentiation. In other words, orectic sounds acquire meaning gradually and become more refined and less ambiguous. Their elaboration through teaching and experience results in stereotyped expressions of wishes, in speech which has magical potency, such as curse, oath, spell and prayer and the sacred language of incantations, exorcism and necromancy, as well as hymn, paean and song. But also the less specialised language of interjections, the sighing and sobbing of the excited, the mumblings of the miser, the imprecations of the schemer, the exultation of the lover and the monologues of a despairing soul characterise speech as an anticipatory and substitutive means of wish-fulfilment and the general companion of emotion and action of passion and purposive behaviour.

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[1] Cf. Raum, O. F., *Chaga Childhood*, p. 147f. for speech development of African children.

In this second aspect of language the third is implicit. It was noted that the differentiation and fixation of the meaning of orectic speech is made possible by the reactions of other persons. Language indeed makes possible the interaction of human beings, their co-operation and competition, their quarrels and agreements. Concerted group activities are impossible without the directive force of speech. The cohesion of social groups is raised on the foundation of a common tongue and a common vocabulary. In other words, sentiments and values, the sanctions and controls of human action lie embedded in the language of a tribe or nation, in its saws and sayings, its proverbs and parables. The jargon of a profession, the slang of a social class distinguish it from others and cement the relations of its members. Even the idle chatter of greeting, of etiquette and polite speech, the sharp prick of gossip, the lash of criticism, the cutting edge of satire and the blunt weapon of the language of opprobrium make social relations and mark them with a distinctive quality.[2]

Apart from these three sides of language, as a way of human muscular behaviour, as a means of indicating emotional states and volitional tendencies and as an instrument of social relations, the fourth aspect of language as a counter-sign of thought must not be overlooked. Language here performs a two-fold function : it fixes or registers the elements of thought and it expresses the results of the thought process. Thus in the perfecting of human *perception*, which consists in the distinguishing and recognising of objects of the environment, the child receives powerful aid from the words of his mother-tongue and from the system of classification inherent in it. In thought on the level of *analogy*, we have our intellectual processes patterned out for us in the metaphors and elliptic expressions of the language we speak. They pick out and emphasise points of comparison and contrast which to an individual left to his own devices might never occur, but whose significance may be shrouded in the mists of tradition or blurred in the polish of habitual use. In creative *reasoning* language serves as the handmaid of thought by supplying the counters (concepts) which thought combines and groups, separates and analyses, limits and extends in a variety of ways. It also serves as the censor of thought, for the results of the processes of definition, of analysis and synthesis, have to be expressed in language and this is first done tentatively, and with only gradually increasing certainty are they laid down in hypotheses, generalisations, uniformities, laws and axioms. Finally language serves as the chronicler of thought. The individual formulates his experiences in order to be able to recall and remember them in similar situations. The knowledge and wisdom accumulated by a tribe in the course of its history is stored in its tradition and lore ; it is handed down to the rising generations either by the anonymous agency of tribal speech or more frequently by specialists in education. It is with reference to the limited *memory* function of language that writing is customarily considered important. But since language is not merely the means of preserving and communicating thought, writing is not simply the door of individual memory or the gateway of tribal tradition. To comprehend writing in all its manifestations, it is necessary to examine graphic symbolism in its fourfold aspect, as mere behaviour or exercise of muscles, as expression of emotions and volition, as social instrument and medium, and as countersign and repository of thought at its various levels. Of course these aspects can be separated only in thought. In practice one would expect them to be intermingled to a greater or lesser extent.

II

1. For various reasons the graphic symbols corresponding to repetitive and rhythmical sounds will be examined later, and the engraved or carved counter-signs of the language of wish-fulfilment and conative tendencies will be described at once. Some of the most distinctive signs

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[2] For social aspect of language see Malinowski, B., " The Problem of Meaning in Primitive Language," supplement in Ogden, C. K., and Richards, I. A., *The Meaning of Meaning* (1923).

of this kind are markings on blazed trees.[3] When Livingstone entered the country of the Londa, he observed that trees all along his route bore incisions, which are said to have resembled faces reminiscent of Egyptian pictures. On the branches of these trees offerings of manioc and maize had been placed.[4] In these cases the incisions probably represented an ancestor or a deity. The important thing from the point of view of the historian of writing is that the offerings were not deposited before a carved image but before a pictorial representation. Most marks on trees however seem to be more definitely magical. Among the Pangwe (Fan) of the Cameroons a smith, whose wife is menstruating, protects his workshop in the following way. He makes a rhomboid incision into the beam supporting the roof and paints it red. This rhomboid represents the woman's sex organ and he covers it over with a leaf to protect the forge from any ill effects.[5] This is a genuine pictograph of a part of the human body used for magical purposes. When the people of Northern Nyasaland shift their villages, an old man of quiet heart and a girl who knows no evil walk in a wide circle round the chosen site, watching for omens and blowing blasts on a horn at intervals. Smearing some trees with protective magic and cutting marks into others, they utter an invocation: " All dangers of any kind, war from the distance and war from near by; lions, leopards, and all fierce things; may you be overpowered and forced to return at this line that we have now cut." Similarly when a traveller in those regions is overtaken by night, he builds himself a shelter from branches, cooks a " medicine " and inserting it into small cuts made into them, he speaks a spell against lions.[6] Among the Lenge two magic rings are painted on the trunk of orange trees, one in ochre and the other in soot, to ensure a good crop.[7]

More frequently markings and incisions bearing a magical meaning are found on sticks and staves.[8] Livingstone, in the passage already quoted, records that he observed human heads carved out of a block of wood in the Londa villages. These were covered with white and black dots because they were used as charms. Where professional carvers were lacking, crooked sticks were used for the same purpose. Besides applying paint to the sticks, marks may be obtained by removing the bark in part or entirely. Krapf reports that the Nika of East Africa used to expel a spirit causing sickness by sprinkling the patient with water and dancing round him: the fleeing spirit was offered a domicile in a staff, 3 ft. long, painted black and ornamented with beads and a red feather to make it attractive to him. Rebmann, on his journey to the Chaga in the fifties of the last century, found two magic staves stuck in the ground by the wayside, when he left Nika territory and was about to enter the uninhabited wilderness stretching " for twenty leagues " to the Teita Hills. These staves were 2 ft. long, burnt black and wreathed round with the bark of a tree. They were believed to protect the traveller against the attacks of marauding men and beasts.[9] The bark tied round the staff is reminiscent of the poles and magical wands annulated in various colours, chiefly black and white, which are especially common between the Rovuma and Zambezi rivers. The Makua plant in the middle of the initiation camp has a branch painted with white, black, and red rings. This branch is raised upon a mound of earth which covers several pieces of bark of a magical significance.[10] Among the Lenge of Gazaland the women at the dances carry batons which are of white wood and decorated with black rings. During some of the dances the drums are hung up on poles ringed white and black. Again, when the magician carries out the rite of blessing the homestead, he sets up two poles at its entrance with two magic rings, one black, the other red.[11]

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[3] Mason, W. A., *A History of the Art of Writing*, (1928), p. 70f.: American Indians record events on blazed trees.

[4] Livingstone, D., *South Africa*, p. 188; von Boeckmann, K., *Der Kampf im Süden* (1923), p. 162.

[5] Tessmann, G., *Die Pangwe* (1913) p. 226.

[6] Cullen Young, T., *Notes on the Customs and Folklore of the Tumbuka-Kamanga Peoples*, pp. 22 and 115.

[7] Earthy, D., *Valenge Women*, p. 32.

[8] Ratzel, F., *History of Mankind*, Vol. I., p. 379: Australian magic sticks.

[9] Krapf, J. L., *Travels, Researches and Missionary Labours* (1860), p. 189. This book also contains Rebmann's " Journey to Jagga "; the quotation is from p. 223.

[10] Weule, K., *Negerleben in Ostafrika*, p. 366.

A few more instances of sticks with incisions used in a magical way will be given, although their number could be multiplied. In the Alur village of Bakuna near Lake Albert, notched sticks were set up in the fields for protection against theft of the crops.[12] During the small-pox epidemics of 1884 the Xhosa doctors acquired a fortune in cattle by setting up before the huts sticks which they had carved and adjured themselves.[13] Among the Kongo, at the mouth of the Congo river, a stick notched so as to appear like a number of cones stuck into one another, is used to secure luck in hunting.[14] After the decay of the corpse of the Lamba chief, the "undertakers" prepare a bark canoe to serve as coffin, and burn markings on a pole with a red-hot axe. This pole is used for carrying the canoe in procession through the country.[15]

A particular instance of the notched wand is the grave pole of East Africa.[16] The practice of the Nika is the most striking. Only important personages are buried in the sacred resting place of the tribe, and that the grave may be remembered, a memorial post is erected at its head. "It is sometimes carved to resemble the deceased, or shaped in fantastic form and bedaubed with paint; at other times it is plain. A piece of cloth is generally hung round the posts of men, whilst the women's posts are occasionally dressed in the national kilt in miniature." Offerings of flour and water, of goats and fowls are made there.[17] In the photographs accompanying Hollis' account of these poles, some of them have realistically carved heads, while in all cases the poles below the narrow neck are covered with a variety of geometrical patterns (concentric circles, parallel lines, triangles, etc., in the manner of modern chip-carving). In this instance we are moving on the boundary line between art and writing, whereas the grave-posts of the Nilotic tribes were apparently used in the past as a record of the feats of arms of the persons they commemorated. Schweinfurth describe two types of posts in use among the Bongo. In the first type whole rows of human figures roughly carved in wood and representing men, women and children, are set up above the graves of chiefs or at the entrance to the village enclosures. The second type, apparently the more generally used, consist of long forked branches, carved by way of ornament with numerous incisions and having points sharpened like horns. Some of his informants explained these notches as a record of the number of enemies killed in battle by the deceased, but the Bongo themselves strenuously denied this. Curiously enough, among the Mittoo and Madi, neighbours of the Bongo, who set up similar grave poles, the men attending the funeral shoot at them with arrows which they leave sticking in the wood.[18] This rite strengthens the objection raised by the Bongo against explaining the notches as a tally of "kills", but no other explanation of the magic underlying the rite is available. In passing, attention may be drawn to the possible connection between the grave poles of the north-east and the sacred sticks representing the ancestors which play such an important role in the life of the Herero. According to Irle, they are made use of at every sacrifice: for instance when the sacred bull is slaughtered at the death of a chief, a certain part of it is tied round the ancestral sticks; likewise when an infant is given a name, he is introduced to these sticks which are set up round the central ash heap of the homestead and are addressed there in a prayer.[19] Another link may exist between grave poles and the tallies, which are to be discussed later, and other objects, used during initiation. Among the Venda where the sticks are not notched, they are described as two short sticks, consisting "of the upper half of a man or woman carved realistically in the solid wood and tapering below the hips and buttocks to a fairly stout stick, the whole being about 2 ft. long."[20] Unfortunately the ritual use of these sticks is not given.

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[11] Earthy, D., *op. cit.*, pp. 174, 224, plate 18.

[12] Stuhlmann, F., *Mit Emin Pascha ins Herz von Afrika*, p. 479.

[13] Kropf, A., *Das Volk der Xosa-Kaffern*, p. 208.

[14] Bently, W., *Kongo-English Dictionary*, under *nambwa*.

[15] Doke, C. M., *The Lambas of Northern Rhodesia*, (1931), p. 188.

[16] Cf. Mason, W. A., *op. cit.*, p. 100f. for American Indian grave posts.

[17] Hollis, A. C., "Grave Poles of the Wanika," *Man*, 1909, No. 85.

[18] Schweinfurth, G. *The Heart of Africa*, Vol. I. pp. 129 and 143.

[19] Irle, I., *Die Herero*, pp. 77f and 95.

To sum up the evidence submitted with regard to the incisions on blazed trees and the notches and coloured dots on sticks, it must be admitted, that there exists among them no exact one-to-one correspondence between words or sentences and graphic signs. Yet they are undoubtedly countersigns of the spells, prayers and adjurations that are muttered over the sticks, and although it would be unjustifiable to see in them pictographs or ideographs, these incisions and dots obviously perform at least two of the important functions of all writing: they concretize the magical wish of a person, i.e., they perpetuate his fleeting words of magical coercive power, and they presuppose a general understanding of their meaning, for only thus can the protection of property, the respect of sacred places and utensils aimed at in these magical devices be secured. How important this aspect is may be gathered from the fact that "raw" Natives show signs of superstitious fear at the sight of European print or writing.

2. The securing of the right to property and the division of objects into sacred and profane belong to the sphere of social relations and the methods of social control. One of the most important ways of making use of graphic signs is the marking of property. Lindblom has given a detailed account of the methods in vogue among the Kamba of East Africa.[21] Property marks are chiefly made on bee-hives, arrows and cattle. They consist of straight and zig-zag lines, of circles, dots and curves and they occur in regular patterns. Their purpose seems to be entirely practical and rational, viz., to distinguish private property where this is liable to be lost or stolen. Bee-hives are suspended from trees scattered over wide spaces and thus difficult to control. Theft of honey is accordingly punished with severe penalties as among other apicultural tribes of East Africa, e.g., the Chaga. Lindblom surmizes that the property marks branded on the hives were at one time clan marks, and I was told that among the Kahe, at the foot of Mt. Kilimanjaro, clans still use distinctive designs for their hives.[22] But only one of the Kamba marks, that of the lion clan, depicts a part of the clan animal, viz., its paw. Present day individualistic tendencies have resulted in the invention of many new property marks which have nothing to do with old clan symbols. Arrows have to be provided with property marks for two reasons: they may be lost in the grass and their owner has to be determined, or the successful shot has to be identified by means of them. Both the arrow head and the shaft may bear these distinguishing marks. Here also Lindblom notices a development away from the legally and possibly magically binding clan marks to individual designs whose chief value is ornamental and aesthetic. Cattle have property signs branded on their flanks and the rump in various patterns, and as noted with regard to hives and arrows, designs tend to become individualised. Property marks on hives, arrows, and cattle are also employed by other East African tribes, e.g., the Chaga, Kikuyu and Masai (the latter are not bee-keepers), and the custom of making incisions of various patterns in the ears of domestic animals is also widely known.[23] Similarly widespread is the use of certain ornaments in pottery which play the role of manufacturer's sign or trade mark.[24] The custom observed by the Shongo kings at their accession points in a different direction: they choose a special design to be carved on the royal drums and this design serves as a royal seal. Accordingly those statues of Shongo chiefs which have a drum as emblem, show it each with a different design, and one of the patterns used in weaving and wood carving is called "drum of Mikope", the name of an ancient chief.[25]

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[20] Stayt, H., *The Bavenda*, p. 54.

[21] Lindblom, G. *The Kamba of East Africa*. Buchner recorded them among the Londa.

[22] Cf. Mason, W. A., *op. cit.* p. 23 (totem signs, ownership marks of America.)

[23] Merker, M., *Die Masai* (1904), p. 168, plates 3a, 3b, 4, 5, and 6. Property marks are also found on musical instruments (Venda), cf. Kirby P. R., "The Reed-flute ensembles of South Africa", *J.R.A.I.*, 63, (1933), p. 359.

[24] Earthy, D., *op. cit.*. p. 56f. (Lenge).

[25] Torday, E., and Joyce, T. A., *Les Bushongo*, (1910), pp. 65, 202f and 220f

Besides graphic symbols which serve as property marks and political or commercial emblems, signs employed as means of communicating messages are well authenticated in Africa. In the lands to the east of the Congo mouth, as well as at the Luango coast, carved ivories, resembling the art of Benin, have been recorded. " They are intended to tell stories and to point morals." The pictographs used on these ivories recur in message sticks, long, flat pieces of wood, " carved in relief, with figures of men and animals arranged conventionally to express some sentiment or to place some fact or legend on record."[26] The illustrations of two such message sticks given by Sir Harry Johnston, show one of them to be a thick rectangular stick of white wood, about 4 ft. long and 4 inches broad, with a handle containing a glass bead, possibly an ornament. The black figures cut in relief evidently tell a story, but what this story is cannot be made out in the absence of a commentary. Perhaps it records the arrival of a trading expedition, for porters are shown and men carrying a hammock with a person in it (European or chief ?), as well as some quadrupeds (dogs). The figures give the impression of being conventionalised, they are all rather narrow, their heads are elongated in the horizontal direction, and most lack arms, as if the carver wanted to get as many figures as possible into the space available. In the second message stick which appears to be thinner and more lath-like, the figures are much more realistic, their body outlines being distinguishable and the arms shown in the most varied positions : pointing, supporting a load, shaking hands, etc. It is unfortunate that a more detailed description of the pictographs is not given in Johnston's book, and that the way of manufacturing and reading them has not been recorded. It thus remains doubtful whether the recipient could read the sticks without consulting the messenger, or whether, what is more likely, the sticks served as memory jog for the bearer himself.

Thus graphic signs may be used as symbols of meanings. But it has already been noted, that dots and circles of various colours may also be used to convey certain messages. A fine example of the language of colour is offered by the bead work of the Zulu.[27] Apart from the generally observable influence of fashion on the selection of bead colours and bead sizes, the Zulu have not only developed a distinct terminology for the colours of beads—chiefly by reference to animals with characteristic colours—but moreover use certain colour combinations to convey a message.[28] Beads are strung into strings, squares, bands or necklets, the latter consisting of a number of little squares attached to a string. They are considered by the Natives to be letters, or rather "writings to be replied to", (lit. *ubala abuyise*). According to Mayr the senders of these bead letters are girls, the recipients their lovers who display proudly round their heads and necks the batch of *billets-doux* received. My wife, when examining an ailing Zulu polygamist found him in possession of one of these bead letters which he had received from a girl to whom he had recently become " engaged." He wore it on the inside of his waistcoast. The messages sent, move within a limited number of possibilities and the repeating of designs in the squares, bands and necklaces, offers a chance of reiterating the message. The colours are interpreted in the following way : Red stands for love and passion ; black for difficulties and night ; white for purity and earnestness of intentions ; yellow for wealth and cattle (bride price) ; blue for desire of quick reunion and green for sickness, physical or mental. Typical messages sent through these bead letters are : My heart is pure and white in the long weary days (white) ; my eyes are sore and red by looking out for you so long (red) ; I have become quite sick, with longing (green) ; if I were a dove I would fly to your home (blue) ; darkness and difficulties prevent my coming to you (black); I realise that you are poor (pink) ; work hard to obtain the cattle required in payment for the bride (yellow). It must be remembered that in these bead messages no exact correspondence between colour design and the meaning to be conveyed exists and that there is obviously some latitude in the interpretation. " The actual pattern has no definite significance ; it is rather the succession of colour and the relative amount of the different colours that expresses the tenor of the message."

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[26] Johnston, Sir, H. H., *George Grenfell and the Congo*, Vol. II., p. 811. Australian parallels described by Ratzel, F., *op. cit.* Vol. I., p. 180 were smuggled into jails to inform prisoners of plots for their release, served as declarations of war, etc.

[27] Mayr, F., " Language of Colours among the Zulu, etc.," *Annals of the Natal Museum*, Vol. I., (1908), p. 159-165 (plate).

[28] Cf. American Indian wampums, or bead belts, used for recording treaties, Mason, W. A., *op.*, *cit*, p. 96f.

The instances of this section are clearly distinguished from those of the preceding section. There the purpose in view is the magical coercion of human beings, animals and impersonal forces by means of magical formulae and their graphic or coloured representation. No communication of ideas to the suspected beings is intended. But in the examples examined just now, a definite message is sent, and the sender expects it to be understood. Quite evidently a medium of communication exists, although the symbolism employed is either limited in scope (colours) or too complex to be handled with ease and speed (pictographs). Nevertheless it would be wrong, in my opinion, to consider the distinction between the countersigns of wish-fulfilment and those of communications as very clear cut. Taboo signs, the signs used to prohibit the general use of certain objects,[29] clearly stand midway between magical signs and property marks which have nothing but a legal or only an ornamental meaning left. In a similar manner the transition from the symbolism of systems of communication, the social aspect of writing, to the intellectual aspect, the recording and registering of facts, is a gradual one.

3. Written signs as instruments of crystallising and registering thought processes occur in many ways. Notches in sticks are used by many tribes for recording the days a journey takes, the cattle to be transferred to the bride's father, the credits given and the debts owed, the tribute rendered to the chief, the days a man has worked for his White employer, the animals shot during a hunt. This last use of graphic signs is found even among the Bushmen, who keep their tally on bow or arrow. Specially important items, such as the shooting of a hyena or baboon, are indicated by increasing the size or modifying the form of the incisions. Notching is also resorted to in keeping count of hits and misses or of successful moves in games. The most elaborate tally seems to be that of the Songe.[30] It is about 4 ft. in length, has four carefully prepared sides and serves as a walking stick. All the journeys a Songe has made in his life are inscribed on it and without it he can hardly tell whether he left home a fortnight or three weeks ago. Where notching is unknown, counters, such as sticks or stones, may be used according to the number of objects remembered or subjects to be dealt with in a meeting. Such counters may be kept in special receptacles, e.g., calabashes, where they are increased or decreased as circumstances demand. It is recorded of some tribes that they use knots to keep count of days and debts, of payments and subjects of negotiation. (Occasionally objects are knotted into the string to symbolise a message, e.g., an arrow in declaring war, or a cowrie in reaffirming friendship). The Chaga husband on parting leaves a knotted banana fibre string with his wife who opens one knot each day till the last knot announces to her the day of her husband's return. When a member of the Rega tribe goes to court to claim five chickens, he produces a palm fibre string with five knots to represent his claim, and among the Nyamwezi the knotted string serves as calender in the same manner as their notched house posts.[31] A rather neat illustration of the use of notching as a means of recording events is the following. During a dancing competition between various Lenge clans held at the homestead of the chief, the people of Kondzweni were adjudged the best dancers. The chief took an axe and cut a gash in the tree trunk in his homestead, saying : " Your reward is this, people of Kondzweni." Then the success-

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[29] Willoughbby, W. C., *Nature Worship and Taboo*, (1932), p. 189-196.

[30] van Overbergh, C., *Les Basonge*, p. 341. For American and European parallels (calender sticks) see Mason, W. A., *op. cit.*, p. 31f. and 76f.

[31] Delhaise, G. F., *Les Warega*, p. 249 ; Blohm, W., *Die Nyamwezi*, Vol. I., p. 79f., Mason, W. A., *op. cit.*, p. 35 gives parallels from Asia and America (Peruvian *quipu*).

ful clan danced with rejoicing to thank for the reward.[32]

An important use of graphic symbolism is the making of maps.[33] As count may be kept with concrete objects—the seeds, stones and little sticks mentioned just now—so directions and features of the landscape may be represented by concrete symbols. Apparently the ability to represent geographical facts graphically is linked with the intelligence of the person and the interests of the culture concerned. Thus Schmitz who knew the Songe well, never met one capable of drawing a route in the sand, but other travellers record that some members of this tribe roughly indicated the course of rivers by means of sticks, while others represented them with lines drawn in the sand; the chief Pania finally, using a pencil, was able to put them on paper. Chiefs would be expected to know the geographical features of their country better than commoners, consequently we are not surprised to be told by New, who visited Kilimanjaro in 1865, that Mandara, the Moshi chief, mapped out the whole of Chagaland with a piece of wood upon the ground.[34] One may presume that spies and leaders of warriors have evolved a similar ability to represent important features of the country. Whole tribes may be interested in mapping routes and districts. Thus the Rega, who live to the west of Lake Tanganyika, in the country traversed by the Arab trade route into the Congo, have an astonishing aptitude for drawing the map of a region. They proceed according to a definite method and always begin by fixing east and west: "the sun rises here, and sets over there." They then trace the rivers and the roads, and place the villages. The relative position of these features is almost always exact. Outside their own country the Rega have no geographical knowledge.[35] The representation of hills and valleys is made use of in games, especially in one known in East Africa, in which counters representing either men or cattle have to be moved across the play land in a prescribed manner and by a player whose face is turned away,[36] and again in the frequently described pastime of the Zulu, who depict rivers, roads and homesteads, armies, herds and flocks by means of the bubbles of saliva which trickle from their hemp pipes.

The recording of facts by graphic symbols may develop in two directions. On the one hand interest may be turned towards the visual appearance of objects and living beings, on the other hand emphasis may be put on recording events for future reference and memnotechnical devices are evolved which make use of signs that have no pictorial value whatsoever. A good example of the first tendency is provided by the Bushongo king who drew the outlines of an obsolete throwing knife in the sand for the benefit of Torday and Joyce, when these scientists examined the hypothesis that the name of the Bushongo meant: Bearers of a weapon called *shongo*. The recording of facts by realistic pictorial representations lies at the boundary between writing and art. Undoubtedly many of the paintings and engravings in caves, on rocks and house walls and on various utensils are records of exciting events witnessed by the artist. The European expeditions painted on the house walls of the Congo, the pictures of battle and hunting scenes, of dances and of men on horse-back in the rock paintings of South and East Africa, the rows of soldiers, drummers and guns which the Zulu engraved with such meticulous attention to detail on ox-horns at the time of the Bambata rebellion, must have been used as illustrative material by tellers of adventures in bringing home to the youthful and aged members of the tribe and to the womenfolk, both the terror and the charm of such outlandish experiences. Yet we would agree that their essential nature places them among works of art, the playful creations of certain gifted men, rather than among the instruments of recording and communicating facts. With regard to the second tendency noted above, it is most probable that the recording of numbers and the marking of charmed objects were not the only uses of notching. I shall discuss presently the tallies used as records of teaching given during initiation among East African tribes. Here one example of descriptive notching from South Africa must suffice. It shows that Natives were able to record subjects, apparently even of an abstract nature, by means of incisions, and to decipher them later, developing in conversation the subject thus recorded by reference to the tally. When the missionary Neizel was stationed among the Hlubi, in the early sixties of the last century, he tried to reassure himself that his message was understood by his listeners. He once asked Upungwane, a son of the chief Putini, to recapitulate the sermon he had heard the previous Sunday. After some hesitation, Upungwane reproduced the main ideas. A few weeks later the missionary observed him in church notching a stick without apparently heeding the preacher. After church, Neizel asked the chief's son what he remembered. The Native produced his stick and, following the notches, accurately repeated every thought. Upungwane continued taking down notes in this manner, visiting the White man at night to ask for further information on sermon subjects.[37] Several points are of interest in this account : the fact that notching was resorted to spontaneously as an indigenous method of coping with the task of remembering a long message ; the fact that reproduction obviously was improved (without tally—main thoughts only : with tally—every thought accurately), and finally, the fact that it was a chief's son who used the method. I think, the assumption is justified that Upungwane had learned the method of "notching down" a discourse at his father's court when difficult legal cases had to be decided or intricate negotiations concerning inter-tribal affairs had to be conducted.

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[32] Earthy, D., *op. cit.*, p. 173.

[33] The Eskimo are famous for their ability in drawing maps, see Marshall, R., *Arctic Village*, p. 64; the sea charts of the Polynesians made of palm leaf ribs are another instance of primitive map-making.

[34] New. Ch., *Life, Wanderings*, etc., in Eastern Africa, p. 392.

[35] Delhaise, C. G. F., *op. cit.*, p. 287.

[36] Lindblom, G., *op. cit.*, p. 424 (Kamba); Raum, O. F., *op. cit.*, p. 269 (Chaga).

4. In the last three sections it has been shown that graphic and coloured symbols are used by African peoples in the East, South and Centre, and that these symbols serve three main purposes: the perpetuation of expressions of *emotional* states and *volitional* tendencies in inscriptions which bear a magical, and sometimes religious, significance ; the regulation of *social* relations by supplying distinguishing marks for private and clan property, and by affording a medium of communication between individuals ; finally graphic symbols serve to record the shape, name and number of objects as well as subjects of conversations and negotiations and thus act as instruments of *intellectual* processes. Apart from the inferences drawn at the end of each section, the most important fact emerging is that graphic signs of a non-pictorial nature, such as dots, notches, crosses and circles, are used independently of and possibly prior to signs developed by the laborious process of simplifying and conventionalising pictographs. Especially in the sections dealing with magical inscriptions and with memory jogs it became apparent that the evolutionary series : pictograph-ideograph-letter, logically so convincing, is not the only road along which writing may have developed. For notches and incisions of various forms, as well as the patterning of different colours, possess symbolic significance in representing mental contents without the roundabout way of faithful pictorial representation. This, of course, is no denial of the historical truth, that in the evolution of such scripts as the Chinese, the Babylonian, the Egyptian and our own, progress was achieved along the line of reducing pictures to letters. But the fact noted seems to indicate that in tracing this development, no account has been taken of the ability of the human mind, even on the "primitive" level, to find symbols for its ideas and strivings which are non-pictorial but rather "geometrical" in nature, and of the influence such an ability is bound to have exercised on the evolution of those scripts.

This conclusion is strengthened by another fact. I have so far postponed the discussion of those graphic symbols which might be considered to represent the behaviouristic aspect of language and which illustrate the fact that speech is produced by a number of bodily organs which are subject to the physiological uniformities underlying organic life. One of the fundamental laws of this nature is that life processes are rhythmical, that the work of our bodily organs follows a clearly defined pattern of alternating intensification and recession of activity. In the second section of part I, the effect of this law upon human speech at all stages of the life cycle was briefly indicated. Its effect may also be recognised in the playful experimentation with graphic patterns and *motifs* which is found as early as the first crude attempts at drawing a pictorial likeness of living beings, if it is not actually earlier. For ontogenetically the first scribblings of the child consist in zigzag lines of a very acute angle and concentric circles and spirals, while phylogenetically ornamental patterns go back into dim pre-historical times even farther than rock pictures.

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[37] Wangemann, *Die Berliner Mission im Zululande*, (1875), p. 372.

There were two points to be made with regard to these ornamental patterns. First, they are never restricted to one craft but appear in all the crafts practised by a tribe. The geometrical designs used by the carver are also employed by the potter,[38] the patterns invented by the weaver reappear in the art of the worker in wood,[39] and in the very patterns used for tattooing and cicatrising the body.[40] To this interchangeability of patterns within the arts and crafts of a people must be added a second fact, viz., that most ornamental patterns and *motifs* go by a name. These names are often names of animals, but they may also bear the names of parts of the human body and of tools and utensils. Boas and his pupils have made us beware of considering these " named patterns " as one-time efforts to portray the object designated which have become progressively conventionalised and stereotyped. " For the geometrical forms may possibly have arisen automatically from some technical process, or from the craftsman's craving to play with his technique."[41] To this must be added that designs and patterns may be invented independently of the techniques of a craft. Thus the Shong children learn " decorative art " at an early ag when one of their favourite games is the drawin in the sand of certain patterns each of which bea a special name, such as knife-handle, leopar etc.[42] Most of these patterns are execute without lifting the tracing finger from the sand surface. Possibly the mazes with which Ngu children occupy themselves are connected wit this playful tendency to produce regular geom trical patterns on suitable surfaces and with sui able material.[43]

This autochthonous production of ornament designs is connected with the behaviourist aspect of language in two respects. It is based c the same fundamental nature of all organ processes which are expressed in rhythmical an repetitive movements of our muscles and organ And secondly it shows that graphic signs a obviously not always pictorial representations objects of nature. They are often the product the playful combination of simple graph elements, viz., straight lines and curve Patterns thus invented are subsequently calle different names by their makers after some exte nal and accidental resemblance. They th become non-pictorial countersigns of som mental content and their evolution is not nece sarily connected with the simplification and co ventionalisation of pictographs. If the units the known systems of advanced writing, th Chinese ideographs, the cuneiform characters the Babylonians, the hieroglyphs of the Egy tians and the letters of our own alphabet, show surprising uniformity in size and combination certain simple and continually recurring elemen this fact cannot be easily explained by their orig in widely divergent pictographs. It becomes once intelligible, in my opinion, if it is connect with the fact, that man from his earliest days h experimented playfully and artistically with desi and patterns, just as his spoken language— mention only one example, the alliterative co cord of the Bantu languages—represents in seve respects echoes of the playful reiteration certain sound groups which is pleasing both to the infant and the poet.

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[38] Schofield, J. F. A., " A Preliminary Study of the Pottery of the Bantu Tribes of the Union of South Africa," *S.A.J.Sc.*, 1943, p. 257, (Zulu).

[39] Torday, E., and Joyce, T. A., *op. cit.* p. 208f.

[40] Earthy, D., *op. cit.*, p. 105f., see also the beautiful illustrations in Torday, E., and Joyce, T. A., *Notes Ethnographiques*, etc., (1922) *passim* on the tattoo and cicatrisation patterns of the tribes of the Kasai and Kwango river basins.

[41] Lowie, R., *The History of Anthropological Theory*, (1937), p. 139.

[42] Torday, E., and Joyce, T. A., *Les Bushongo*, p. 20

[43] Kidd, D., *Savage Childhood*, p. 170 (plate).

III

1. In this part I intend to discuss briefly three examples of graphic symbolism which to my mind show to what extent the employment of graphic representation is understood in Africa. The *divination bowl* illustrates the magical use of such signs. The principle of such a bowl depends on the arrangement of certain signs in a circular pattern, the fall of dice or divining bones, or the movement of objects made to float in the bowl determining the answer to the question put to it. This arrangement and its association with symbols for the four directions of the wind, and for the heavenly bodies is almost univeral : it occurs for instance in the " gaming circuit " of the dice games and in the wheel used in the pole-and-hoop game of the American Indians.[44] It is traceable back into prehistoric times, for it is found on the cylinder seals of the Hittites in the second millenium B.C., and on the pottery of Susa I in the fourth millenium,[45] as well as in the well-known circular arrangement of zodiacal signs handed down to us from the early cultures of Asia Minor. Frobenius argues that these bowls depict the earth and the waters surrounding it, the subject being elaborated in different ways in connection with mythological variations of the theme. He gives instances of the present day use of the oracular bowl from the Kasai (Kiokwe), Nigeria (Yoruba), Eritrea and Morocco. Even more interesting examples are those described by Bent, who found a bowl with primitive representations of the zodiacal signs in a cave near Zimbabwe, and by Stayt who gives a detailed account of the divination bowls of the Venda.[46] What is important from the point of view of the evolution of writing is the fact that the edge of the Venda divination bowls is covered with a succession of pictographs carved in relief. They include representations of various clans (e.g., a shield stands for the Ngona clan), of branches of a family (e.g., a cowrie indicates the mother's people) and of methods and materials used by a wizard (e.g., a snake depicts the medicine by which he caused the death of a person). Divination may be directed at discovering the clan membership or the family connection of the wizard, or else the nefarious methods he made use of. The diviner pours water ritually into the bowl and dropping some pips on its surface determines by the symbol against which they come to rest, how he is to frame his answer. As to the manner of execution, Stayt points out that the symbols on some bowls are very realistic, while on others they are cruder or more conventionalised. In consequence the interpretation of the symbols varies greatly. There are not two diviners who explain the symbolism of the bowls in the same manner. Stayt concludes that this uncertainty indicates that the Venda no longer understand the real significance of the symbols and, that the original meaning having been forgotten, each magician gives full rein to his own interpretative fancy. This sounds somewhat far-fetched, for with the loss of the " original " meaning, if ever there was any, the bowls acquired a new significance altogether and their symbolism became completely adapted to the new purpose to which it was put, namely, the detection of practitioners of black magic. So successful were the Venda diviners in this transformation, that to-day none of the symbols can be derived from previous symbols of sky or earth, but they are all " embossed pictographs " of objects of Venda culture, and environment. The different meanings ascribed to the signs are therefore more easily explained as the result of keeping them a professional secret.

2. The example chosen for illustrating the social aspect of primitive African writing is the *Nsibidi script* of the Ekoi and other people of Southern Nigeria.[47] According to Sir Harry

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[44] Culin, S., " Games of the North American Indians," *24th Ann. Rep. Bur. Amer. Ethnology*, (1907) p. 45.

[45] Frobenius, L., *Kulturgeschichte Afrikas*, p. 169f., based on a study by W. Gaerte the title of which is not given.

[46] Bent, J. T., *The Ruined Cities of Mashonaland* (1896), p. xvf. (frontispiece); Stayt, H., *op. cit.*, p. 291f.

[47] Maxwell, (List of 24 Nsibidi signs) *Nigerian Government Civil List*, July 1905 ; MacGregor, " Some Notes on Nsibidi," *J.R.A.I.*, 39 (1909), p. 209f. ; Dayrell, E., " Some Nsibidi Signs," *Man* 1910, No. 67 ; Talbot, P. A., *In the Shadow of the Bush*, (1912), p. 304f. For another example cf., Klingenheben, A., " The Vai Script," *Africa*, 6 (1933), p. 158-170.

Johnston the Ekoi language shows Bantu affinities and Talbot adds that somatically the Ekoi have a strong Bantu strain. The script consists of highly conventionalised signs, straight and bent lines, in various combinations and intersections, being the most common, although a few pictographs are also used, e.g., the sign for house which is circular. A row of young men sitting on a beam are thus shown in a sign which looks like a comb. Messages in Nsibidi are cut or painted on split palm leaf stalks. They are used to inform a father of the misdeeds of his son, such as adultery or theft; to notify a chief of a death or a murder; to order a farm manager to deliver crops or to challenge a club to a wrestling match, etc. Nsibidi signs are however also found in other connections. Patterns of great variety are traced on the faces of children, especially girls, and in the empty spaces of these patterns Nsibidi writing is often found which gives the life history of the individual in question. The script also plays a role in ceremonial life: the children, dressed in gay-coloured cloths and chains of beads, give a play in which they carry swords of white wood decorated with Nsibidi signs. Probably this play is an imitation of a procession of one of the secret societies or clubs of the Ekoi. The wooden fan, used as a symbol of certain grades of the Egbo society, shows Nsibidi signs in a circular arrangement. One of the oldest Ekoi clubs bears the name of the script, namely, Nsibidi. Only chiefs could belong to it and it was charged with the execution of criminals. The records of the trials (showing e.g., the court in session, the curious listeners, the executioner, as well as the thumbscrews used in extorting a confession) were written in Nsibidi on calabashes. The executioners, when fulfilling their duty, are said to have masked their faces by painting them white and black and writing Nsibidi characters on them in contrasting colours. Thus it is probable that the script was evolved as a code of communication within a secret society. The learning of the script is apparently well organised: young boys are taught to write it in a special house. The age of the script is testified by some of the signs. The Ekoi, as forest people, have rectangular dwellings. Yet the sign for house in Nsibidi is circular like that of the peoples of the "parklands." This seems to indicate that the Ekoi, before they reached their present abode and adopted the rectangular house, passed through countries north-east of the Nigerian coast and while dwelling there built their houses in the round style. Like the Venda divination bowls the Nsibidi signs are open to more than one interpretation and the Ekoi themselves explain the name of the script as being derived from a verb meaning "to turn" and thus indicating agility of mind and further, cunning or double meaning.

3. This characteristic seems to be common to all examples of primitive writing, for it is well pronounced in the third example which I have chosen to illustrate the use of "writing" as a memory jog and a means of recording thought processes. In a number of East African tribes, but chiefly the Chaga and Kamba, *notched tallies* are used during initiation.[48] The sticks used for this purpose are cut from trees whose bark can be separated easily. Hence the signs are often not the result of notching but of removing the bark in patterns. On some of the tallies the signs are pictographs representing animals probably connected with clan totems (Kamba), and on others parts of the human body, articles of dress or geographical features are shown. More frequently the signs are conventional, that is, their meaning must be known and cannot be derived from their external geometrical form. It is asserted by Natives that the tallies of different teachers differ, and a similar conclusion must be drawn from their published reproductions. And yet the signs must represent a generally understood code. For the tally serves as text on which novices are examined as to the meaning of the symbols, and, lest they be found ignorant, they receive instruction from their fathers or elder brothers previous to the examination. Again the youth or maiden who has passed

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[48] Hobley, C. W., *Ethnology of A-Kamba and other East African Tribes* 1910, p, 68f.; Lindblom, G., "Anteckningen öfver *Taveta*-folkets etnologi," *Ymer*, 1913, p. 178f.; Gutmann, R., "Die Kerbstocklehren der Dschagga," *Z.f.Eg.*, (1923), pp. 81-109; 205-235, 260-302; *idem*, "Bruchstüche aus den Kerbstocklehren für Mädchen nach dem *mreho fo Lyango*," *Z.f.Eg.*, (1925), pp. 1-19; Raum, O. F., *Chaga Childhood*, (1940) p. 326f.

through initiation receives one of the tallies and may ask a contemporary of the opposite sex to decipher it as a test of knowledge and a confirmation of his or her right to the newly acquired status. The subject matter of the teaching connected with the tallies has been crystallised into a connected course only among the Chaga. In most Chaga tallies several themes are interwoven and may be discussed with reference to one and the same symbols, viz., the development and the parts of the human embryo, the anatomy of the sex organs, the building of a hut with the manifold magical and religious implications of its parts, and conduct in connection with the various parts of a chief's residence. Occasionally tallies are used whose signs are unequivocal, e.g., the tally depicting the limbs and organs of the embryo in the womb.

The East African tally is one of the most outstanding examples of the African's capacity for ideographic writing. With regard to its analogues, one or two further points may be made. Firstly, the tallies are most probably connected with the picture rattles or song gourds of the Kikuyu.[49] These gourds are filled with seeds and their rind is inscribed with a number of designs (straight and zigzag lines, stippled and hachured surfaces, pictograph of objects animals, articles of dress and celestial bodies). The calabashes are wound round with strings of beads nailed into the gourd by means of thorns to which at intervals cowrie shells are tied. The right to go about the country with such gourds is purchased by youths from warriors, the price being 1-4 goatskins. The master teaches his pupil the designs and the songs sung with each particular design. Before a youth can walk the countryside with this " medicine man ", as the gourd is called, he has to sing its songs before his father, father's brother, and grandmother in turn to avert any ill luck. Otherwise no magical meaning seems to be connected with it, and the gourd only serves as the itinerant bard's song book. However he may be examined by a competitor on the meaning of the designs and if more than three mistakes can be proved against him, he forfeits his gourd. The connection between initiation tally and song gourds can be detected in those cases where tally and gourd depict the stages of a journey to the chief's court and especially where the symbols representing articles of dress indicate that the gourd really stands for the body of a woman, the cowries serving as the symbols of her genitals. Another link connects the East African tally with the memory stick of the Pangwe.[50] It is a stick with a series of similar cross pieces and pegs along its shaft and the top carved into the likeness of a human head. The stick is used in a guessing game. One player points at a peg or at a certain sub-division of the cross pieces. The other player sits at a distance, probably unable to see the point touched, and recites the parts of the body. The test consists in the correct repetition of some eleven parts of the body half a dozen or more times and switching over at the right moment to neck and head. The very first peg situated below the lowest cross piece is called " the red one " and originally represented the phallus. The resemblance with the Chaga tally whose notches represent the genitals, or the body generally, is striking, likewise the fact that the knowledge regarding these parts is tested—among the Pangwe in a guessing game and among the Chaga as part of the teaching during initiation. It should also be mentioned that the initiation tally is set up on a mound containing charms and " medicines " as is the case with the annulated tree of the Makua.

The initiation tallies, the song gourds and the memory game stick just described are thus ultimately connected with the notched and annulated poles, the grave posts and possibly the statues of important personages. They are either representations of the human body or embodiments of ancestral deities. As such they have become objects of teaching and of adoration and at the same time objects of guessing games and of magical practices. The sexual features of the body image may be emphasised out of proportion. For instance, the Chaga tally may be carved in such a manner that one end assumes the shape of the phallus and the other that of the female genital parts. The teaching on such models may become very practical, as is the case among the Pare, who live to the south of the Chaga and Kamba, for during initiation boys are shown on a calabash into which a round hole has been cut how to behave during coitus. On the other hand, the significance of models to the primitive mind is never entirely free from magical notions, as is revealed in the story of the man who carved himself a woman out of a block of wood; she became alive when the cowrie was attached but reverted to dead wood when it was removed.[51] It is thus with reference to the human body, its most important function, that of procreation, and its profoundest mystery, that of its life after death, that symbols and graphic signs in particular have been developed, but as has been indicated in previous pages, not exclusively so.

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[49] Routledge, W. S. and K., *With a Prehistoric People,* (1910), p. 109 (plates) ; Hobley, C. W., " Kikuyu and Kamba Religious Beliefs and Customs," *J.R.A.I., 41,* (1911), p. 439f. Gourds with symbols representing proverbs have also been recorded from Togo and the Congo.

[50] Tessman, G., *op. cit.*, p. 308f.

4. In conclusion, I briefly recapitulate the results of a rapid and tentative survey of the written symbolism of African peoples. Graphic signs are found as a means of communicating ideas from one person to another, i.e., as an instrument of social interaction. They are also made use of to concretize and perpetuate human wishes and strivings and thus may fulfil a magical office. They are furthermore employed to fix the results of thought processes and to record ideas and events for future reference. The development of graphic symbolism has been influenced on the one hand by the tendency of man to produce patterns and designs for their own sake which is independent of the ability to represent objects in a pictorial manner. This tendency, if it does not account for the simplification and conventionalisation of pictographs, may be claimed to have exercised a strong influence in the change of ideographs into letters and characters formed by a combination of a few graphic elements. On the other hand the fact is noteworthy that in a number of highly complex examples of graphic symbolism, the subject matter dealt with is that of human reproduction and of life after death, both subjects which on all levels of human existence are expressed in a symbolic manner, except in the small universe of scientific discussion.

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[51] Torrend, T. J., *Specimens of Bantu Folklore*, (1921), p. 41 (Rhodesia).

THE TONAL STRUCTURE OF KELE (LOKELE)

By J. F. CARRINGTON

(1) The Kele tribe comprises a riverine people living on the North and South banks of the Congo river between the mouths of the Lindi (some ten miles below Stanleyville) and the Lomami. Their villages extend also for a considerable distance up the Lomani river. From the main portion of the tribe, which numbers about 26,000 people, small groups have broken away from time to time and have taken up permanent residence as traders or fishers at points as far away as Kongolo (up-river) and Léopoldville (down-river).[1]

Three main divisions in the tribe are recognised:

(*a*) The most westerly group, around the mouth of the Lomami and extending up-stream on both banks of that river. This group is called Yawɛmbɛ.

(*b*) A central portion inhabiting both banks of the Congo, this group being called Yaokanja.

(*c*) The most easterly group, sometimes called Yuani, and also spoken of as the "river of up-stream" . . . *liande lia likolo*.[2]

(2) Little is known of the history of the tribe. But, of recent events we may note that Stanley passed through Kele territory in 1877 while on his journey across Africa. He notes[3] the warlike habits of this riverine people and their use of large signal drums. Stanley returned in 1883 to Kele country and found the tribe scattered by Arab slave-traders.[4] Twelve years later missionaries of the English Baptist Missionary Society prospected for a site among the Kele people and finally chose a position at the extreme corner of the Kele territory, near the village of Yakusu (more accurately written *Yakoso*). The early Yakusu missionaries reduced the Kele language to writing and began to use this tongue as a medium for evangelistic and educational work.

(3) "Standard Lokele" as used by the Yakusu printing press is taken as the language spoken by the central portion of the tribe (i.e. Yaokanja). There are some phonetic differences in the dialects spoken at different villages throughout the Kele area, but tone patterns remain very constant.[5]

(4) Published information on Kele is available in the following works:

(*a*) Stapleton, W. H.: *Comparative handbook of Congo languages.* Yakusu 1903.

(*b*) Sutton-Smith, E.: *Yakusu, the very heart of Africa.* London, 1910.

(*c*) Millman, W.: *An outline of Lokele grammar.* Yakusu, 1926.

(*d*) Millman, W.: *English-Lokele vocabulary.* Yakusu, 1926.

(*e*) Ford, W. H.: *A Lokele grammar.* Yakusu, 1936.

(*f*) Carrington, J. F.: *The Tonetics of Lokele.* Yakusu, 1940.

Tonal structure is referred to in detail only by Ford and Carrington, although it is of interest to note that Stapleton mentions what is really the semantic function of tones when he describes under the heading of "accent" the method of differentiating subjunctive positive and negative forms which are orthographically indistinguishable[6] (see section 49).

The following study of Kele tone patterns is essentially a revision of (f) above, undertaken after further investigations into the tones of Kele itself and those of other languages spoken near Yakusu, and after a perusal of the literature relating to tones in Central African and other languages.

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[1] Maes et Boone: *Les peuplades du Congo Belge.* Bruxelles; 1935

[2] The Kele language has become the "market language" for a district far greater than that occupied by the Kele tribe alone.

[3] Stanley, H. M: *Through the Dark Continent.* London, 1878. Vol. ii, p. 257.

[4] Stanley, H. M: *The founding of the Congo Free State.* London, 1885. Vol. ii.

[5] This has been observed for other tone languages, cf. Ward, I. C: *An introduction to the Ibo language,* Cambridge, 1936: p 14.

[6] Stapleton, W. H.: see (a) in the above list: pp. 5 and 184.

Technique of study :

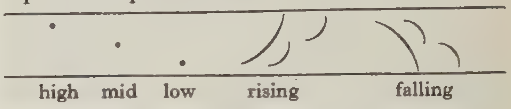
(5) (*a*) The main method of study has been to ask literate Kele youths and men to read slowly portions of our printed books. At the same time the author wrote down over the printed words the tones of the spoken syllables, using the system of notation described in section 8. In this way have been annotated for tones the Gospels of Matthew and Mark, together with large portions of those of Luke and John, the whole of the Acts of the Apostles and a good deal of the Epistles. In addition some secular books used in our Yakusu school work have been noted for tones. These tone marks have since been checked repeatedly and carefully against the tones used in public readings, sermons, school lessons, "palavers" and ordinary conversation by Kele folk of both sexes and varying ages.

(6) (*b*) The tones worked out by method (a) have been compared with the tones of the same words appearing in the drum language of the Kele tribe and also in the related "shouting-at-a-distance" language, whistling and horn languages. It has been shown[7] that all these "signalling" languages are essentially the same as the spoken language. Whistling, horn-blowing or drumming on the two-toned slit-drum have been resorted to in order to clarify the tone pattern of words not properly obtained by ear. The author fully endorses the suggestion made by Burssens[8] working on the tones of Luba as to the value of the two-toned slit-drum ("seintrommel") in investigating the tone patterns in a Central African language (see Appendix I).

(7) (*c*) Tone patterns annotated as in (a) have also been checked against the patterns occurring in the words of some old tribal songs. It has been pointed out for Kele[9] and for some other songs[10] that the sung melody follows closely the tone patterns of the spoken words ; indeed, the melody can be regarded as essentially the sung tone patterns of corresponding words in the spoken language (see Appendix II).

Notation employed :

(8) Five tone elements can be distinguished in the Kele language, viz. : a high-level tone, a low-level tone, a mid-level tone, a rising tone and a falling tone. These have been represented for the purposes of this study by a system of dots or lines placed between two parallel straight lines. In the representation of single tones or the tone pattern of single words, square brackets replace the parallel lines.[11]



The Kele text is written in the symbols approved in Memorandum I of the International Institute of African Languages and Cultures. Since these symbols are not used entirely in present-day printed books produced at Yakusu, some changes in the existing orthography have had to be made when using material from Scriptural and other passages. In grammatical classification and nomenclature the writer has attempted to follow the scheme put forward and used by Doke.[12]

The Number of Tonemes in Kele :

(9) Kele has two tonemes only : a high toneme and a low toneme.[13]

(10) The mid-level tone which is heard frequently in conversation may belong to either the high or the low toneme but the fact that this mid-tone is not a separate toneme may be determined by applying the test of significance : i.e. no two words are known in Kele which, differing in a single mid-tone of one replacing a high or low tone of the other, differ also in meaning. With regard to the non-significance of the

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[7] Carrington, J. F. : unpublished.

[8] Burssens, A. : (i) *Tonologische schets van het Tshiluba.* Antwerp, 1939. p. ix. (ii) *Le Luba, langue à intonation, et le tambour signal.* "Proc. 3rd. Internat. Cong. Phonetic Sci." Ghent 1938.

[9] Carrington, J. F. : *Tonetics of Lokele.* Yakusu, 1940.

[10] Westermann, D. : *Zeichensprache des Ewevolkes in Deutsch-Togo.* "Mitteil. d. Semin. f. Orientalische Sprachen." Berlin 1907. Bd. X : S. 8, 9.

[11] This is the system recommended by Westermann and Ward : *Practical Phonetics for students of African Languages.* Oxford, 1933. p. 133

[12] Doke, C. M : (i) *Bantu Linguistic Terminology.* London, 1935. (ii) *Textbook of Lamba Grammar.* Johannesburg, 1938.

[13] In normal conversation the interval between the highest tone of the high toneme and the lowest tone of the low toneme is about a musical major ⅓.

mid-level tone of Kele it may also be noted that the drum and horn languages are produced on two notes only.

(11) The mid-level tone is produced in two main ways :

(*a*) By the influence on an essentially low tone of a preceding high tone. Thus : *baaŋga ?* ˙ · ˙ (how many—men) may be regarded as *ba*-[˙] -*aŋga*[. ˙].

Here the low-toned -*a* is raised to a mid-level tone. This is an example of a mid-level tone belonging to the low toneme.

(*b*) By the influence of what is described in this study as the "end-fall effect" (see section 14), under which the terminal high tones of a word, occurring after a preceding low tone, are thereby lowered to mid-levels. Thus:

imbale ˙ . · (two) *itikele* ˙ . . · (I did not do)

likundo ˙ . · (revenge) *atilɛmbɛ* ˙ . . · (he does not want).

In these examples the terminal mid-level tones all belong to the high toneme. It is of interest to note that the drum, which can only produce two notes, gives the true tonemal character of these mid-level tones : *imbale* ˙ . ˙, *atilɛmbɛ* ˙ . . ˙, *likundo* ˙ . ˙, all of which words are used in the drum language.

(12) Falling and rising tones, together with lengthened tones, are regarded in this study as in most cases due to the juxtaposition of two like vowels which have a high-low, a low-high, a low-low or a high-high tone sequence respectively, i.e. *o*[⌒]=*oo*[˙ .] ; *o*[╱]=*oo*[. ˙] ; *a*˙ [–] = *aa*[. .] ; *a*˙ [‾] = *aa*[˙ ˙].

A falling-rising tone, referred to by some students of tone in Central African languages, would in this way be represented by three juxtaposed like vowels. Thus ; *o*[~[=*ooo*[˙ . ˙].

This possible representation of rising and falling tones, already envisaged by some writers[14] is rendered a probability for Lokele and the languages of surrounding tribes for the following reasons :

(*a*) Two juxtaposed vowels which could be called single vowels with rising or falling or lengthened tones may be separated in the corresponding words of cognate languages by a vowel. Thus :

Kele: *bɔɔmwi* . ˙ . (five) ; Mbɔlɛ : *ɔhɔmɔi* . ˙ . .

(*b*) A rising or falling tone may be synthesised by the placing together in a word of infixes so arranged that two similar vowels, but with different essential tones, are juxtaposed. Thus : *atokela* . ˙ . · (he will do), plus the infix -*oka*- . ˙ (to go) give together : *atookakela* . ˙ . ˙ . · (he will go to do). This could be written *atokakela* . ⌒ · . ·, but the analytic method is preferred in this study.

(*c*) The signalling drum analyses what might otherwise be written as falling or rising or lengthened tones into their component vowels, each with a distinct tone. There are reasons for believing the drum language to be more primitive than the present-day spoken language.[15] Thus :

orally : *bɔmwi* ⌒ . (five). Drum gives

bɔɔmwi . ˙ . or ⁝ . [16]

„ *asoya* . ⌒ ˙ (he has come). Drum :

asooya . ˙ . ˙

„ *asota* . ~ ˙ (she has borne).

Drum : *asoooota* . ˙ . ˙ ˙

„ *baolo˙lo* . . ‾ ˙ (elders). Drum :

baoloolo. . . ˙ ˙ ˙

The "end-fall" effect :

(14) When noting the general tone level of a Kele sentence or clause, it is evident that there is a marked falling in pitch from the beginning to the end of the sentence. A secondary rise in pitch occurs at the beginning of each new clause in a sentence containing a number of clauses.

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[14] Meinhof, C. : *Grundriss einer Lautlehre der Bantusprachen.* Berlin 1910. S.10.

[15] Carrington, J. F. : unpublished.

[16] The notation ⁝ indicates that the high-toned and low-toned drum lips are beaten simultaneously.

˙ ˙ . . ˙ ˙ . . · ˙ ˙ . ˙ ˙ ˙ ·

Thus : *bosokola ŋgwa nda liulu, inde koicakaɛ* if you remove a dog from a pit, it will

. ˙ .

bainyo. (Kele proverb)
bite you (with teeth).

(15) In addition to this general decline in pitch throughout the clause, there is a very marked fall in pitch at the end of the terminal word. A word spoken by itself also shows this marked fall. We call the fall, in this study, the " end-fall " effect. It has been noted by many students.[17] Hulstaert, working with Nkundo, termed it " le ton pausal simple,"[18] because it is noticeable when a word is spoken and then a pause made after the word.

(16) Because of this " end-fall " in tone, questions designed to obtain from Native speakers the tone pattern of a given word should always be made so that the word occurs along with others, in a sentence. It is essential to have at least one following word, so as to eliminate the " end-fall " effect on the desired tone pattern. Thus, in Kele, if a boy is asked to speak the word *itosɔnɔ* (I shall write) by itself, be says . ˙ · . ; but make him say *itosɔnɔ lioi-li* (I shall write this word), and the tone pattern of *itosɔnɔ* is . ˙ · ˙

(17) It is the writer's opinion that the " end-fall " effect has been responsible for a number of errors in the tone patterns of words noted down by investigators of some Central African (and perhaps other) languages. In a number of lists of tone patterns given for various languages we notice that the tone of the last vowel of each word is almost invariably *low*. Further the " end-fall " effect may be responsible for the insistence by some investigators on the presence of a significant mid-tone in languages which, like Kele, are really bi-tonemal in structure.

(18) If the sentence terminates on a high toned vowel the " end-fall " effect sometimes produces a short falling glide. This is the case when the terminal high vowel is also accented, e.g. when it is the vowel of a single syllable word. Thus : *aŋgóko nde !* . . . ⌒ (perhaps, but ! —I'm not very sure).

Tone change with vowel elision :

(19) Vowel elision is common in Kele when the vowels involved have the same tones. But most Kele speakers are reluctant to make elisions which involve vowels of different tones. However, the following rules may be given :

(*a*) low-tone plus low-tone gives low-tone : e.g. *mɛsa yasu* ˙ . . ˙ (our table) becomes *mɛsasu* ˙ . ˙

(*b*) high-tone plus high-tone gives high-tone : e.g. *faka inde* ˙ ˙ ˙ ˙ (give to him) becomes *fakinde* ˙ ˙ ˙

(*c*) low-tone plus high-tone gives the tone of the retained vowel ; that is, the tone of the suppressed vowel is also suppressed :

e.g. *ʃondo ʃau* ˙ (.) ˙ ˙ (their axe) becomes *ʃondwau* ˙ ˙ ˙ *elaŋga yande* . . . (˙) ˙ (his garden) becomes *elaŋgande* . . . ˙ *batɔ ana* . (.) ˙ ˙ (those men) becomes *batwana* . ˙ ˙

But where the vowels are not suppressed their tones remain :

bana bana ˙ . ˙ ˙ (those children) becomes *banaana* ˙ . ˙ ˙

(*d*) high-tone plus low-tone gives in most cases a high tone. This occurs even when the high-toned vowel is suppressed and the low-toned vowel retained. There is therefore a shifting of tone from the elided vowel to the retained one. Thus :

nda ekoko ˙ . ˙ ˙ (in the sheath) gives *ndekoko* ˙ ˙ ˙

inde aŋgɛnɛ ˙ ˙ . ˙ ˙ (he himself) gives *indaŋgɛnɛ* ˙ ˙ ˙ ˙

koicaka aɛ . ˙ ˙ ˙ . . becomes *koicakaɛ* . ˙ ˙ ˙ · (see section 14).

(20) Kele does not then seem to provide examples of elision where mid-or gliding tones

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[17] cf. Guthrie, M.: *Grammaire et dictionnaire de Lingala.* London, 1939. *sect. 15.*

[18] Hulstaert, G.: *Les tons en Lonkundo.* " Anthropos," Vol. 29 : 1934. p.75.

are produced, as in some other tone languages.[19] [20] This would, perhaps, be expected in view of the suggested nature of Kele gliding tones (see section 12).

The function of tones in Kele :

(21) These may be stated, as for other tone languages as :

(*a*) semantic, involving the differentiation of words orthographically alike but differing in tone and meaning ;

(*b*) grammatical or syntactic, where tone change introduces new grammatical meanings ;

(*c*) emotional, where differences in tone lend emotional colour to the spoken word and also differentiate interrogative sentences from affirmative ones.

To this list we should like to add a fourth category, in view of the suggested importance of the "end-fall" effect (section 15) namely,

(d) positional tones, which indicate the position of the word in the sentence or clause.

Emotional tones :

(22) While the tonemes remain the same, the actual pitch of the tones varies considerably under the influence of emotional stress. Thus :

isoomwala : . ˙ . • . (I *am* surprised :) could better be shown : . ˙ • ˙ .

he ! [•] (interjection of surprise) is usually very much higher in tone than the high tone of normal speech.

bitotina ! (*all* of them !) could be shown : . . ˙ .

(23) When a speaker desires to draw attention to the large number of kinds of things which he is enumerating he will usually suppress the general sentence decline of tone and the end-fall :

isooɛnɛ wike wike ! . ˙ . ˙ ˙ . ˙ . ˙ (I *did* see a lot !)

Again :

. . . . . ˙ . . . . ˙ ˙ . ˙

la likɔndɔ la swi la nyama la mata la balia liye. . . .
bananas and fish and meat and manioc and water and what not.

(24) **Questions** often contain the same words and possess the same construction as ordinary affirmative sentences. They are then differentiated from the latter by the tonal pattern in which the "end-fall" effect and the general sentence decline of tone are eliminated.[21] Thus :

basoooma bouŋgu ˙ ˙ . . • . • . (they have drummed),

basoooma bouŋgu ? ˙ ˙ . . ˙ . ˙ ˙ (have they drummed ?)

In cases where an interrogative noun is used, the "end-fall" effect is present. Thus, compare the two questions :

akeliki oŋgoma ? . . ˙ ˙ ˙ . • (did he do thus ?), no "end-fall."

and *ndai akeliki oŋgoma ?* ˙ ˙ . . • • • . . (who did thus ?), "end-fall."

Semantic tones :

(25) A survey of the existing Kele dictionary, which the writer has annotated tonally, shows a large number of word-groups in which orthography is identical but meaning varies according to tone-pattern. Here are some examples :

(*a*) 2-syllable words :

lole [. .] a swing	*foŋgo* [. .] itchings
lole [. •] a beard	*foŋgo* [. •] shells
lole [• .] it (the matter) is..	*foŋgo* [• .] hills.

(*b*) 3-syllable woyds :

lisaka [. . .] a pool	*bosoŋgo* [. . .] copper
lisaka [. . •] a promise	*bosoŋgo* [. . •] current
lisaka [. • •] a poison.	*bosoŋgo* [. • •] pestle.

(*c*) 4-syllable words :

lioŋgela [. . . .] a fiancée
lioŋgela [. . • •] talking to no purpose.

(*d*) 5-syllable words ;

liunduundu [. . . . .] a bull-roarer
liunduundu [. • . • .] a mole (animal).

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[19] Hulstaert, G. : *Les tons en Lonkundo.* "Anthropos," 1934, p.75 et seq.

[20] Burssens, A. : *Tonologische schets van het Tshiluba.* Antwerp 1939, § 30.

[21] In Kele it is not strictly correct to say, as is said by students of other languages, that a question is marked by a raising of the terminal tones of a sentence. This rise in tone is only apparent for it is really due to the *maintenance* of tone at a uniformly high level instead of allowing the tones to drop under the "end-fall" effect.

(26) In the following numerical survey of semantic tonal differentiation in Kele, noun forms have been compared with verbal, adjectival, adverbial and other forms with the same orthography. Plural forms are also admitted into groups with singular forms when the orthography is the same.

Number of syllables in word.	*Number of groups occurring graded according to number of members in each group.*				
	2 members	*3 members*	*4 members*	*5 members*	*6 members*
1.	1 (? see note)	—	—	—	—
2.	59	6	—	—	—
3.	115	25	3	—	1
4.	4	—	—	—	—
5.	7	—	—	—	—

Note: the single group of two members of monosyllabic words refers to that containing *he* [˙] (exclamation of surprise) and *he* [.] (exclamation of anger). But these may belong to the same toneme and therefore be the same words differentiated only by emotional colour and not semantic tone.

(27) In addition to the noun forms enumerated in the above table there are also verbal forms which can be distinguished by tone alone. Thus:

root: *-luwa* [. ˙] (to fish)
-luwa [˙ ˙] (to know)
-soola [. ˙ ˙] (to untie a knot)
-soola [˙ ˙ ˙] (to cleanse with water),

These will have a large number of derivative forms which are distinguishable in meaning only by tone. A survey of the Kele dictionary shows that there are 23 pairs of verbs so differentiated. Since each verb can form well over 1,500 derivative words, most of which will be distinguishable by tone in the different pairs, it is evident that semantic tone plays an important part in distinguishing the meaning of Kele words.

E.g. verbs *-luka* [˙ ˙] (to paddle a canoe), and *-luka* [. ˙] (to seek) are differentiated semantically. They give rise to a large number of words which will also have semantic differentiation. Thus we have:

boluki [. ˙ .] (a paddler)
boluki [. . .] (a seeker)
tosooluke lino [. ˙ . ˙ ˙ ˙ ˙] (we have paddled for you)
tosooluke lino [. ˙ . . ˙ ˙ ˙] (we have sought on behalf of you. . .).

(28) It is of interest to compare the actual use of semantic differentiation in Kele with the theoretical possibilities of such differentiation. Clearly, for a bi-tonemal language the possibilities of differentiation by tone alone and the actual numbers found are as follows:

No. of syllables in word	*theoretical number of words possible in one group*	*highest number of words known in one group*	*example*
2	$2^2 = 4$	3	*lole*
3	$2^3 = 8$	6	*lioma*[22]
4	$2^4 = 16$	2	*liongela*
5	$2^5 = 32$	2	*liunduundu*

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[22] This group of six includes some verbal forms: *lioma* [. . .] a beat; [. ˙ .] a drying; [. . ˙] a slaughter; [. ˙ ˙] a fish; [˙ ˙ .] if it (e.g. the bench) dries. .; [˙ . .] if it (the drum-stick) beats...

The theoretical possibilities are thus by no means all used in the language.

(29) In comparing the number of groups of words differentiated by semantic tone in Kele with those so distinguished in other languages, it must be remembered that we have decided for Kele to analyse gliding tones into their component tones and to write two or three like vowels in place of one.

Thus the words: *losala* [⌒ ˙ ˙] (forgot) and *losala* [. . ˙] (tore) would be regarded as examples of semantic differentiation in languages admitting gliding tones for single vowels, whereas for Kele they are distinguished orthographically as: *loosala* [. ˙ ˙ ˙] (forgot) and *losala* [. . ˙] (tore).

(30) A few words are known which are alike tonally and orthographically but yet differ in meaning: e.g.:

baina [. ˙ .] (names)
baina [. ˙ .] (friends)
bosoŋgo [. . ˙] (river current)
bosoŋgo [. . ˙] (white man).

In some of these few cases (e.g. *bosongo*) one member of the pair has been derived from another language. Swahili *mzuŋgu* gives Kele *bosoŋgo.*

Grammatical tones :

(31) Each grammatical form in Kele has a well-defined and regular tone pattern. In numerous cases a change of tone of one of the grammatical elements in a word leads to a change in grammatical meaning. Some examples of grammatical tone patterns are given here.

Class Prefixes :

Seven classes (each including singular and plural forms) have been recognised in Kele.[23] In general it may be stated that the class prefixes are *low* in tone.

Class	*Singular prefix*	*Plural prefix*	*Example*
1.	*bo-* (1)[24] [.]	*ba-* (2)	*boluwi,* *baluwi* (fisherman)
1a.	none	*ba-*	*saŋgo,* *basaŋgo* (father)
2.	*bo-* (3) (all as for *bo-*[.])	*bi-* (4) (all as for *bo-*[.])	*bɔkɔta,* *bɛkɔta* (chief)
3.	none (9)	none (10)	*tei,* *tei* (pot)
4.	*li-* (5)	*ba-* (6)	*lioŋga,* *baoŋga* (plank)
5.	*e-* (7)	*bi-* (8)	*elaŋga,* *bilaŋga* (garden)
6.	*lo-* (11)	none or (10) nasal or fricative	*losamɔ,* *samɔ* (love) *lolamɛ,* *ndamɛ* (tongue)
7.	*si-* (13) or *i-*	*to-* (12)	*ʃondo,* *tondo* (axe) *isandu,* *tosandu* (tree)

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[23] Ford, W. H.: *Lokele Grammar.* B.M.S., Yakusu. 1935.

[24] The figures shown in brackets after the noun class prefixes refer to Meinhof's classification in *Grundriss einer Lautlehre der Bantusprachen.*

High-tone class prefixes are met with. Thus : *liso* [˙ .] (an eye), *bukulu* [˙ . ˙] (a section of a village). Many of these may be regarded as primitively low-toned prefixes which, by assimilation, have become high (see section 19 (c)). Thus the plural, *baiso* [. ˙ .] (eyes), bears out the derivation *li*-[.] plus *-iso* [˙ .]. Similarly *biukulu* [. ˙ . .], plural of *bukulu*, shows the latter to be *bo*-[.] + *-ukulu* [˙ . .]. Again *bali* [˙ ˙] (wives) is at first sight anomalous, but its structure is clarified by the signal-drum language which gives *bakali* [. ˙ ˙] wives.

The Pronoun tone patterns :

(34) The following table shows *absolute pronouns :*

		(*singular*)	(*plural*)
1st. person		*imi* [. ˙]	*iso* [˙ ˙]
2nd. person		*aɛ* [. .]	*ino* [˙ ˙]
3rd. person	Cl. 1	*inde* [˙ ˙]	*iyo* [˙ ˙]
	Cl. 1	*waao* [˙ . ˙]	*baao* [˙ . ˙][25]
	Cl. 2	*waao* [˙ . ˙]	*yaao* [˙ . ˙]
	Cl. 3	*yao* [. ˙]	*yaao* [˙ . ˙][26]
	Cl. 4	*lyaao* [˙ . ˙]	*baao* [˙ . ˙]
	Cl. 5	*yaao* [˙ . ˙]	*yaao* [˙ . ˙]
	Cl. 6	*lwaao* [˙ . ˙]	*yaao* [˙ . ˙]
	Cl. 7	*ʃaao* [˙ . ˙]	*twaao* [˙ . ˙]

(35) Third person pronouns of all classes except class 1 personal pronouns may be regarded as being composed of three elements: pronominal concord, formative *-a-*, an element *ao-*. Of these the formative may be supposed to have a uniformly *low* tone; *-ao* is tonally [. ˙], while the pronominal concords are *high* for all classes except class 3 singular, in which case it is low.

Hence for class 3 plural we have :

y- [˙] + *-a-* [.] + *-ao* [. ˙] give *yaao* [˙ . ˙]
(*y-* [˙] + *-a-* [.] give *ya* [˙] ; sect. 19d.)

and for class 3 singular we have :

y- [.] + *-a-* [.] + *-ao* [. ˙] give *yao* [. ˙]
(*y-* [.] + *-a-* [.] give *ya* [.], sect. 19a ; and then *ya-* [.] + *-ao* [. ˙] give *yao* [. ˙]).

(36) (2) **Demonstrative pronouns** in Kele are found in two positions: the first expressing "this here" and referring to objects near to the speaker, the second pointing out objects at a distance from the speaker, " that there." The tonal structure of these is shown in the table following:

	position I				*position II*		
class number	*sing.*		*plur.*		*sing.*	*plur.*	
1.	*oyo* [. .]		*eba* [. .]		*ona* [. ˙] or [˙ ˙][27]	*bana* [˙ ˙]	
2.	*ebo*	all as for *oyo* [. .]	*ebi*	all as for *eba* [. .]	(*b*)*ona* [˙ ˙]	*bina*	all as for *bana* [˙ ˙]
3.	*eye*		*ebi*		*ena* [. ˙]	*bina*	
4.	*eli*		*eba*		*lina* [˙ ˙]	*bana*	
5,	*eye*		*ebi*		*ena* [˙ ˙]	*bina*	
6.	*elo*		*ebi*		*lona* [˙ ˙]	*bina*	
7.	*esi*		*eto*		*sina* [˙ ˙]	*tona*	

Inspection of the table shows that the pronominal concords of the forms in position II are high except for those of classes 1 and 3 sing which are *low* in tone (cf. sect 34).

The Relative Concord :

(37) There are two in Kele: *oy-* is used for class 1 nouns in the singular and *e-* is used for all other classes. Both concords are *low* in tone.

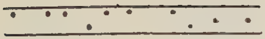
(38) An interesting modification of normal verb tone pattern occurs after the use of the relative concord *oy-*. Thus, in the two phrases:

---

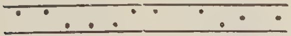
[25] *waao* [˙ . ˙] may be used in class 1 for the noun *bokolo* (a leg) which is the only non-personal noun included in class 1 in Kele. It is, however, also used when speaking of people in a derogatory way. Thus in place of *inde* [˙ ˙], *waao* [˙ . ˙] is sometimes used for *botomaii* [. . ˙ ˙] (woman).

[26] Note the difference for class 3 sing.

[27] For the conditions determining which form of the two [. ˙] or [˙ ˙] is to be used see section 42.



inde ayalaka nda okeŋge (he was in the town)



inde oyayalaka nda okeŋge... (he who was in the town. . .) the concord *oy-* [.] has brought down the tone of initial *a-* of the verb form *ayalaka* from a high to a low tone. This modification does not occur with the other form of the concord, namely *e-*.

Adjectival tone patterns :

(39) In Kele the adjectival concords, which differ slightly from the class prefixes in some classes are invariably *low* in tone. Thus, with the adjective *-lau* (good):

class number	*sing.*	*plur.*
1.	*bolau* [.·.]	*balau* [.·.]
2.	*bolau*	*bilau*
3.	*elau*	*bilau*
4.	*lilau*	*balau*
5.	*elau*	*bilau*
6.	*lolau*	*bilau*
7.	*silau*	*tolau*
All have tone patterns as for *bolau* [. · .]		

The Possessive tone patterns :

(40) As in most Bantu languages the possessive concord of Kele is built up by a class concord followed by the formative *-a-*. These are the possessive concords met with together with their tone patterns :

class	*sing.*	*plur.*
1. (*boto*)	*wa-* [.]	*ba-* [·]
(*boseka*)	*wa-* [·]	*ba-* [·]
2.	*wa-* [·]	*ya-* [·]
3.	*ya-* [.]	*ya-* [·]
4.	*lya-* [·]	*ba-* [·]
5.	*ya-* [·]	*ya-* [·]
6.	*lwa-* [·]	*ya-* [·]
7.	*ʃa-* [·]	*twa-* [·]

(41) All the concords are thus high with the exception of class 1 singular concords agreeing with nouns of the type *boto* and class 3 singular concords. If we assume that the possessive formative *-a-* is *low* in tone (cf. the pronominal formative *-a-* of sect. 35), then all the above concord forms can be derived from this formative preceded by class concords of the type and tonal pattern found in the demonstrative pronouns of position II (see sect. 36).

(42) A search for all the nouns of the type "*boto*" of class 1 which require a low possessive concord shows the following list:

saŋgo	[· ·]	(father)
nyaŋgo	[. ·]	(mother)
wana	[· .]	(child)
bolo	[· ·]	(older member of family of same sex)
welo	[· .]	(older member of family of opposite sex)
tata	[· .]	(uncle, grandfather)
boili	[. · .]	(mother-, father-in-law)
boto	[. .]	(a man)
bolome	[. · .]	(husband)
wali	[· ·]	(wife)
Muŋgu	[· .]	(God)
ŋgɛnɛ	[· ·]	(self, mast)
wina	[· .]	(friend)
ŋgau	[· ·]	(ancestor).

On account of its special nature in governing a low-toned concord in possessive formation and also in the formation of demonstrative pronouns of position II (see section 36), numeral adjectives[28] and interrogative adjectives,[29] this class has been styled the "intimate group" of 1st. class nouns, all the members of the group seeming to belong to the immediate family circle. It is to be noted that, while some members of the group are class 1a. nouns, others are of class 1. Perhaps this anomalous tonal pattern governed by the "intimate group" of class 1. nouns points to the existence in an earlier form of the language of a separate class. Other languages spoken near

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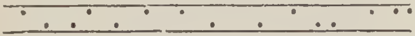
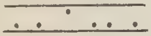
[28] e.g. *boto ɔmɔi* [. . . . ·] (one man) but *bosuŋgi ɔmɔi* [. . . · . ·] (one helper).

[29] e.g. *oni saŋgo ?* [. · · ·] (which father ?), but *oni boekesi ?* [· · . · . .] (which teacher ?).

Yakusu (e.g. Genya at Stanley Falls) show this anomalous group of first class nouns, while the drum language also makes a distinction between words such as *boto*, *wana*, *saŋgo* on the one hand, which always govern a singular subjectival verb concord of class 1, namely *a*-, and, on the other hand, words like *boseka* (a girl) which are followed by a singular subjectival verb concord *bo*-, (although in spoken Kele the concord *a*- is always used).

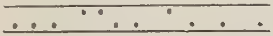


Thus: *wana ati la saŋgo la nyaŋgo alombakeli*



yeka ya bituka

(child has not father nor mother, he awaits the food of the club-house) . . . in the drum name of a Yakusu school-boy.



boseka botilakɛndɛ liŋginda . . . in the drum name for any unmarried girl.

If we admit the primitive character of the drum language, this is further evidence for an earlier separation of nouns which at present are to be found in class 1, but whose difference in character is only noticeable in the spoken language of today by the different tones of the concords governed by them.

(43) Burssens[80] notes for Luba that all class 1 singular nouns and all class 3 singular nouns govern a *high* possessive concord while other class nouns have *low* possessive concords. This is remarkable in being exactly the opposite to the tonal patterns found in Kele.

The Verb:

(44) As in other Bantu languages the Kele verb is built up of subjectival prefixes, tense infixes, the verb stem and suffixes forming various derived forms. Each of these elements has a characteristic tone pattern of which some indication will now be given.

(45) **Subjectival prefixes**: These concords are as follows:

	(*Singular*)	(*Plural*)
1st. person	*i*- [.]	*to*- [.]
2nd. person	*o*- [.]	*bo*- or *o*- [.]
3rd. person Cl. 1	*a*- [.]	*ba*- [·]
	or *bo*- [·]	
Cl. 2	*bo*- [·]	*bi*- [·]
Cl. 3	*e*- [.]	*bi*- [·]
Cl. 4	*li*- [·]	*ba*- [·]
Cl. 5	*e*- [·]	*bi*- [·]
Cl. 6	*lo*- [·]	*bi*- [·]
Cl. 7	*si*- [·]	*to*- [·]

It is clear that the 3rd. class forms are identical in tone and orthography with the pronominal concords given in section 34, except that *a*- replaces *o*- of the latter group of concords in the case of Class 1, "intimate group."

(46) The tonal patterns of the subjectival concords are in some cases modified. Thus for the subjunctive positive and negative moods, *all* subjectival concords are invariably *high* in tone. This is also true of the negatives of all tenses except the remote and very remote future tenses. Further, in the conditional, the remote future positive and very remote future positive, the concords are compounded with -*e*- and become *high* in tone in all cases, in the very remote past they compound with -*a*- and again become invariably *high* (although see sect. 38 for the depressing influence of the relative concord *oy*-).

(47) There are no *objectival concords* in spoken Kele, their place being taken by pronouns of the type described in section 34. But the drum language provides some indication of objectival concords. In the example known the tone is *low*, thus bringing Kele into line with Nkundo and other Bantu languages.

(48) Kele verb stems fall into three main groups from the tonal point of view:

(*a*) Stems with the initial syllable low in tone.

(*b*) Stems with the initial syllable high in tone.

(*c*) Stems in which the initial syllable is a high-toned vowel, which is capable of undergoing contraction with subjectival concords and tense formatives, and at the same time bringing about modifications in the tonal pattern of the remainder of the verb. Not all stems with a high-toned initial vowel are included in this "contracting" group.

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[80] Burssens, A.: *Tonologische schets van het Tshiluba.* Antwerp, 1939. § 88.

(49) In the table following are shown the tone patterns for a verb from each of the three groups in the main tenses and moods of the Kele verb.[31]

type	*verb stem*	*meaning*	*very remote past tense*		*remote past tense*	
			positive	*negative*	*positive*	*negative*
			C+-*a*-+St.+*aka*	C+*ca*+St.+*aka*	C+St.+*iki*	C+*ti*+St.+*e*
(a)	-*kela*	do	*yakelaka*	*icakelaka*	*ikeliki*	*itikeleke*
(b)	-*luwa*	know	*yaluwaka*	*icaluwaka*	*iluwiki*	*itiluweke*
(c)	-*oka*	hear, feel	*yokaka*	*icokaka*	*yokiki*	*icokeke*
			1.	2.	3.	4.

immediate past tense		*present progressive tense*	*present continuous tense*
positive	*negative*	*positive only*	*positive only.*
C + St. + -*i*	C + *ti* + St. + *e*	C + -*ko*- + St. + -*i*	C + -*ko*- + St.
ikeli	*itikele*	*ikokeli*	*ikokela*
iluwi	*itiluwe*	*ikoluwi*	*ikofuwa*
yoki	*icoke*	*ikooki*	*ikooka*
5.	6.	7.	8.

present perfect tense	*narrative past tense*		*interrogative present tense*
positive only	*positive*	*negative*	*positive only*
C + -*soo*- + St.	pron. + *lo* + St.	pron. + *ango* + St.	C + -*isoo*- + St.
isookela	*imi lokela*	*imi angokela*	*iisookela ?*
isooluwa	*imi loluwa*	*imi angoluwa*	*iisooluwa ?*
isoooka	*imi loka*	*imi angoka*	*iisoooka ?*
9.	10.	11.	12.

---

[31] The construction of each tense is given by the formula above the column. In this: C = concord (subjectival); st. = verb stem; other letter groups represent infixes or suffixes.

immediate future tense		*remote future tense*		*very remote future tense*	
positive	*negative*	*positive*	*negative*	*positive*	*negative*
C+-*to*-+St.	C+-*ito*-+St.	C+*e*+St.+*aka*	C+*ca*+St.+*eke*	C+*e*+*la*+St.+*aka*	C+*ti*+*la*+St.+*eke*
itokela	*iitokela*	*yekelaka*	*icakeleke*	*yelakelaka*	*itilakeleke*
itoluwa	*iitoluwa*	*yeluwaka*	*icaluweke*	*yelaluwaka*	*itilaluweke*
itooka 13.	*iitooka* 14.	*yokaka* 15.	*icokeke* 16.	*yelokaka* 17.	*itilokeke* 18.

future tense of sequence		*futnre perfect 3rd p.*	*Exclusive ("not yet") t.*
positive	*negative*	*positive only*	
pron. + *ko* + St.		C + *ka* + St. + *eke*	C + *ka* + St. + *-i*.
imi kokela	as for the narrative past tense negative.	*akakeleke*[32]	*ikakeli*
imi koluwa		*akaluweke*	*ikaluwi*
imi koka 19.	20.	*akokeke* 21.	*ikoki* 22.

subjunctive mood		*conditional mood*	*infixed -ta- meaning*
positive	*negative*	*positive only*	*" lest "*
ikeleke	*ikeleke*	*yekela*	*itakela*
iluweke	*iluweke*	*yeluwa*	*italuwa*
yokeke 23.	*yokeke* 24.	*yoka* 25.	*itoka* 26.

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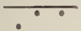
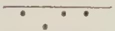
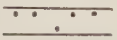
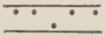
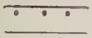
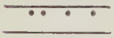
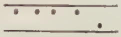
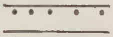
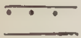
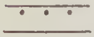
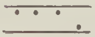
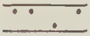
[32] This is one example of what is really a circumstantial or participial mood. Other tenses may give similar forms and, in these cases, the participial mood forms differ from the indicative mood forms in that the former have a high concord tone in place of a low concord tone in the latter, e.g. *atoyiso* [· · · ·] (when we shall come), *atoya* [. · ·] (he comes, or will come) ; *akeliki* (*inde*) [· . · ·] (when he did) ; *akeliki* [. . · ·] (he did. . ,).

imperative mood		*accelerated imperative*		*subjunctive with infixed -ta-*	
positive	*negative*	*positive*	*negative*	*positive*	*negative.*
st. + *-aka*	as for subjunctive mood negat.	*ta* + imperat.	C + *ta* + st. +*eke*	C + *ta* + st. + *aka*	as for accelerated imperative negative.
 *kelaka !*		 *takelaka !*	 *otakeleke !*	 *itakelaka*	
 *luwaka !*		 *taluwaka !*	 *otaluweke !*	 *italuwaka*	
 *okaka !* 27.	28.	 *tokaka !* 29.	 *otokeke !* 30.	 *itokaka* 31.	32.

(50) Summarising the table of tone patterns we can make the following points:

(*a*) The initial syllable of the verb stem retains its high or low character throughout almost all the tenses and moods. The notable exception is the subjunctive mood in the positive form where the initial is *low*, even in the case of a high-toned verb of group (b).

(51) (*b*) The suffixes which form varying tenses and moods have in some cases a low tone pattern and in others a high pattern. Thus: *Low pattern :* present continous, remote future, conditional and subjunctive positive. *High pattern :* all the remaining tenses and moods.

It is important to distinguish these two categories of suffixes since the tones of polysyllabic derived verb forms depend on which suffix is being used: a low pattern suffix depresses in tone all the remaining syllables, while a suffix of high pattern raises in tone all these syllables.[33]

(52) (*c*) Hulstaert, studying Nkundo, endorses Ruskin's statement for the same language that, in general, a raised tone denotes a more distant time than does the lowered tone.[34] [35] While the tenses of distant time are all raised in tone in Kele, it must be noted that such a generalisation as above will not apply to this language since the immediate past and immediate future tenses have also high tone suffixes.

(53) (*d*) Infixed *-ko-* of the present continuous tense and infixed *-ka-* of the exclusive tense are remarkable in varying their tones according to the initial tone of the verb stem. If the verb has a high-toned initial, then *-ko-* and *-ka-* are *low :* on the other hand, if the initial syllable of the stem is low, then *-ko-* and *-ka-* have *high* tones. A similar change of tone is that shown by the immediate future tense where the initial syllable of essentially high-toned verbs is slightly lowered to a mid-tone in both positive and negative forms. These tone changes are the same as those noted in Nkundo by Hulstaert and called by him "l'interrelation des tons."[36]

(54) (e) The rules governing the apparently anomalous tonal behaviour of verbs of the *-oka* type (type (c)) seem to be as follows:

(i) Contraction between a low-toned concord and high-toned stem initial-*o* [˙] leads to *low-toned o* [.] (e.g. immediate past tense, where *i-* [.] plus *-ok-* [˙] plus *-i* [˙] gives *yoki* [. ˙]).

(ii) Contraction between a high-toned concord and the high-toned initial *-o* of the verb stem leads to a high-toned *-o*, but the syllable immediately following (except where this is the terminal syllable of the word) *is depressed to a low tone*. Thus, in the 3rd. person plural of the immediate past tense we have: *ba* [˙] plus *-ok* [˙] plus *-i* [˙] give *boki* [˙ ˙] (*-i* is terminal here); but for the causative form: *ba* [˙] plus *okesi* gives *bokesi* [˙ . ˙].

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[33] Compare with Ngala where the same rules hold good. Guthrie, M.: *Grammaire et Dictionnaire Lingala.* p.26 § 52.

[34] Hulstaert, G.: *Les tons en Lonkundo.* "Anthropos," 1934, p. 75 seq.

[35] Ruskin: *Outline of the Grammar of the Lomongo language.* Quoted by Hulstaert, loc. cit.

[36] Hulstaert, G.: loc. cit. Burssens calls the same phenomenon in Luba "toontegenstelling."

(55) This depression of tone of the syllable following contracted *-o* takes place regardless of the grammatical nature of this syllable. Thus in the series of words:

yokaka [· . ·] I heard
yokesaka [· . · ·] I caused to hear
yokelaka [· . · ·] I heard (on behalf of . .)
yokomoko [· . · ·] I was heard
yokanaka [· . · ·] (it) was heard . . (reciprocal form).

This behaviour of the contracting verbs is perhaps a further example of Hulstaert's "interrelation des ton," or Burssen's "toontegenstelling."

Polysyllabic verb stems :

(56) The tone patterns of derived forms of the verb and of polysyllabic verb stems have already been referred to (see section 51). It remains to give some examples of the rule that the syllables following the initial syllable of the root stem take the same tone as that of the suffix.

yakelaka [· . · ·] I worked.
yakeelaka [· . · · ·] I worked for.
yakelesaka [· . · · ·] I made to work.
yakelesomoko [· . · · · ·] I was made to work.

yeluwaka [· · . .] I shall know.
yeluwesaka [· · . . .] I shall cause to know.
yeluwekesaka [· · . . . .] I shall inform repeatedly.

ikeleke [· . . .] let me do.
ikeleseke [· . . . .] let me cause to do.
ikeeleke [· . . . .] let me do for.
ikelesomoko [· . . . . .] let me be made to do.
ikelekesomoko [· . . . . . .] let me be made to do repeatedly.

Nouns Derived from verb stems :

(57) Kele is able to form nouns of several kinds by the addition of prefixes and suffixes to root stems. These prefixes and suffixes have constant tone patterns as follows :

noun type	*agent*	*place of action*	*time of action*	*manner*	*one action*	*useless action*
(a)-*kela*	*bokeli*	*eke(l)elo*	*bake(l)elo*	*boke(l)eli*	*likela*	*bokelakela*
(b)-*luwa*	*boluwi*	*eluwelo*	*baluwelo*	*boluweli*	*liluwa*	*boluwaluwa*
(c)-*oka* 1.	*boki* 2.	*yokelo* 3.	*baokelo* 4.	*bookeli* 5.	*lyoka* 6.	*bokoka* 7.

state (i)	*state (ii)*	*diminutive*	*ineffectual action*
likeli	*lokelo*	*ikeli*	*like(l)ela*
liluwi	*loluwo*	*iluwi*	*liluwela*
lyoki 8.	*looko* 9.	*ʃoki* 10.	*lyokela* 11.

Note : an *l* within brackets is usually elided.

(58) The above table shows that the noun class prefixes follow the rule given in section 32, namely that their tones are *low*. Exceptions in the case of nouns formed from verbs of the *-oka* type are due to contraction. The suffixes also

follow the rules given for verbal suffixes (section 51). The tone patterns of nouns formed from polysyllabic verbs are determined, as in section 51, by the tone patterns of the suffixes concerned. Thus, the following are generally *low* in pattern :

boluwi	[.·.]	one who knows
boluwesi	[.·..]	an informant
loluwekeso	[.·...]	insistent informing
iluwekesi	[.·...]	an informer
eluweselo	[.·...]	place of information, an index.

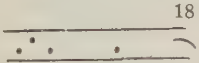
The following are generally *high* in pattern :

liluwi	[.··]	knowledge
liluwesi	[.···]	information
liluwesela	[.····]	the providing in vain of information.

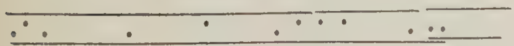
The contracting verbs are again anomalous, but, in the case of nouns formed from verbs, the writer has not observed many instances of the depression of the syllable following root initial *-o* after contraction. The following are interesting however :

boki	[· .]	a hearer
bokesi	[· · .]	one who makes others to hear or feel.
lyoki	[· .]	hearing, feeling
baoki	[. · .]	(the same in plural)
ʃoki	[· .]	a despicable hearer
ʃokoki	[· . .][37]	(the same with the idea of repetition).

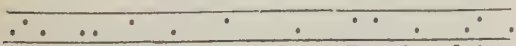
(59) In order to illustrate the rules of tone patterns given in the foregoing paragraphs, we append a Kele fable analysed tonally. The numbers above the tone notation indicate sections in which the tone pattern referred to is explained.



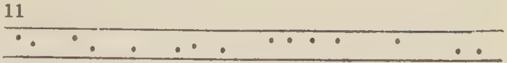
Eulu la njɔ
Tortoise and snake.



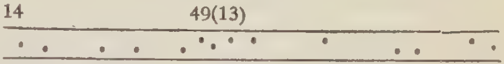
Eulu la njɔ losukana lisaɔ.
Tortoise and snake held together friends.



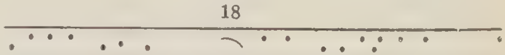
Eulu looŋga la njɔ mbo : Eyambo bainyo
Tortoise said to snake saying : If teeth



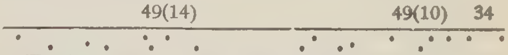
baɛ bale la bolɛŋgi, icakami nda mboso
your are with sharpness, bite me on shell



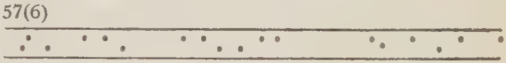
yami. Aŋgo otoicami nda mboso yami,
my. If you shall bite me on shell my,



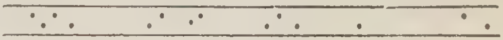
lisasaya itowa. Nde, eyambo osooicami nda
straightway I shall die. But if you bite me on



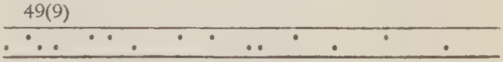
bindo wina, iitowa. Laamao njɔ loica inde
body friend I shall not die. Thereupon snake bit him



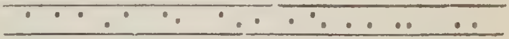
baica basatɔ : nde atikɔkɔlɛ ndoosha lokomba
bites three : but he could not find the skin



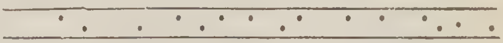
lwaeulu. Laamao eulu mbo : Wina
of tortoise. Thereupon tortoise said : Friend



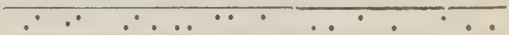
osootɛkwesami : inde looŋga la njɔ mbo :
you have tired me : he said to snake, saying :



Talyaka boto waɛ nda isandu, iomeke aɛ mboso
Place head your on tree, let me hit you (with)



yami. La njɔ lotalya boto wande nda isandu.
shell my. And snake placed head his on tree.



Laamao eulu looma inde mboso yande. Njɔ lowa.
Thereupon tortoise hit him (with) shell his. S. died.

(60) **Summary :**

1. Kele is a typical Bantu language with two tonemes, one high and the other low. Mid-level tones occur, but in all cases they are non-significant and can be shown to belong to one of the two tonemes.

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[37] This shows the depression of the second syllable.

2. The value of the drum language and the related whistling and horn languages in the tonal analysis of a Central African language is emphasised. The use of tribal song melodies is also pointed out.

3. In Kele gliding and lengthened tones are essentially composite and are so written in this article.

4. Examples of emotional, semantic and grammatical tones are given. The importance of positional tone is stressed. Theoretical possibilities of semantic differentiation in a bi-tonemal language are compared with the actual differentiation observed in Kele.

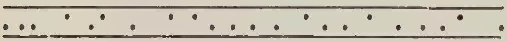
5. Tone patterns for various grammatical forms and elements are given, and a comparison is made between Kele and some other Congo languages especially in connection with tone patterns which seem "anomalous." The importance of the principle of interrelation of tones in the tonal pattern of the spoken language is brought out by numerous examples.

Appendix I.

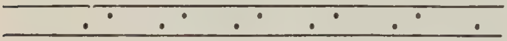
A typical Kele drum message showing the value of the drum language in tonal analysis of Kele.

The notation is as for the tones of the spoken language, i.e. [·]=a note on the high-toned lip of the drum, while [.]=a note on the low-toned lip. There will be, of course, no notes in between these two. The figures over the message refer back to paragraphs in the foregoing study.

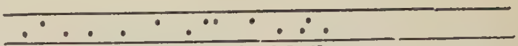
This message is that which would be drummed out by the writer on his own drum to the chief of Yakusu village in order to call for ten paddlers to take the former in a canoe to Stanleyville.



elia ya liondo ya lisɔkusɔku ya afaka ko la alɛmbu
lake of a hole of great size of afaka and alembu
(all this is the drum name for Yakusu village. . . .)

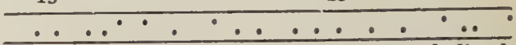


yaku yaku yaku yaku yaku la
(Yakoso ancestors) come! come! come! with

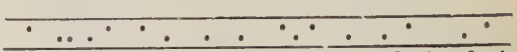


balukanaŋga ba balia ba lɔkɔila.
paddlers of water of (archaic drum-name for water)

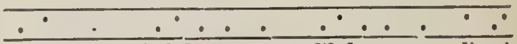
13 13



[38]bosoŋgo olimo ko nda lokonda lɔkɛndɔ ko nda liande
white man spirit from forest journey to river
(drum name of white man)

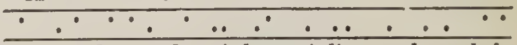


lya bainatɛndɛ la shanga sha iloŋga. yaku! yaku!
of WaGenya of fish-traps. come! come!
(of WaGenya folk at Stanleyville)

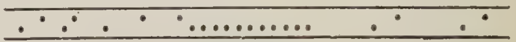


yaku! la balukanaŋga: lilukanaŋga limɔi,
come! with paddlers! paddler one,

12 13

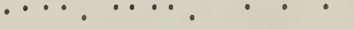


bambale, basatɔ, bamɛi, bɔɔmwi, liamwe, bosambale,
two, three, four, five, six, seven,



bonaɛi, libwa, liuuuuuuuuuu! yaku! yaku!
eight, nine, ten--n-n-n-n-n! come! come!

49(24)



otikaleke! otikaleke! ki, ki, ki...
don't stay behind! (bis) (end signal).

Appendix II.

A typical Kele tribal song, showing how the melody, represented in solfa notation, and the tone pattern of the words of the song are very closely related and hence serve to clarify the tonal patterns of spoken words.

Numbers above the lines again refer to paragraphs in the study.

This song is sung at the time of the circumcision rites:

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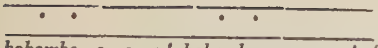
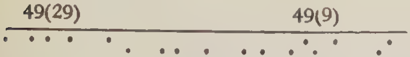
[38] Comparing the drum word *bosoŋgo* [. . .] (white man) with the spoken word given in section 30 it will be noticed that there is a difference in tone. This is the only case known to the writer where the drum language and the spoken language differ in tone patterns (apart from the influence of "end-fall" on the spoken tones). It is capable of explanation however.


(tonal analysis)

kokombe...o...o..o! *kokombe...o...o....o!* (sung words)

t. t. l. s.. s.. l. t. t.. l.. s.. s.... l (sol-fa notation)

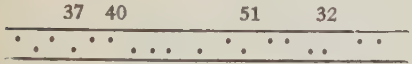
p..parrot..o...o...o! p..parrot..o..o...o! (meaning)



akayeke ano lɛlɛŋgɔ, ani isɔɔkɛ kɔli,

s.s. s.s.....s.m. m.m.. m m.m m.sm.s. m.s.

when he comes here tomorrow, then I have gone (to find) cane



ɔkela eyami ekaliŋgo yotinyela itombe o!

s.m.s. m.s.s. m.m.m.. m s.m. s.s. m.m. s. s....

to make my platform to cut (applic.) the foreskin...o!

Note: the Kele and surrounding tribes usually perform the circumcision rite on a high platform made of forest poles. Hence the reference to *ekalingo* and *kɔli* with which the *ekalingo* is bound together.

In conclusion I should like to express my gratitude to my language teachers, the Revs. W. H. Ennals and W. H. Ford of Yakusu and also to Professor Doke and Dr. Pienaar of the Witwatersrand University for their help with literature relevant to tones in Central African languages and to drum-signalling. It must also be made quite clear that this study could not have been possible without the co-operation of many African friends who bore patiently with countless questions on the *ngɔlu* [. .] (tone patterns) of Kele.

MALNUTRITION AMONGST TSWANA CHILDREN[1]

By BERNARD T. SQUIRES

INTRODUCTION

Hitherto, no quantitative data concerning the existence of chronic malnutrition[2] in the Bechuanaland Protectorate has been available, although the fact of its occurrence is mentioned in various annual Medical and Sanitary reports from 1929 onwards.

Apart from such reports, attention has been drawn to the existence of malnutrition by Dyke (1934), and, in lay literature, by Barnes (1930).

This paper records an investigation into the prevalence of malnutrition amongst African children in three different areas of the northern Protectorate.

The work, which is to be regarded as preliminary, was carried out by one investigator, during routine duties with a travelling dispensary and under somewhat primitive conditions ; it was not, therefore, possible to employ elaborate experimental methods, or to undertake any laboratory procedures, save those of the simplest variety.

The first group, in the Tati reserve, were all Kalaka, the second in the Serowe area, were of the Ngwato, Kalaka, and Damara tribes, who all inhabit Serowe, and the third, in the Nata area, were all Sarwa.

In all, 735 children were examined, 146 in the first group, 451 in the second, and 138 in the third.

The ages of the children ranged, as nearly as could be ascertained or estimated, from six to thirteen years. Children suffering from obvious disease, or who had lived for less than three years in the area in question, were excluded from the investigation.

METHODS

Up to the present no generally accepted standard of adequate nutrition for African children appears to have been proposed, nor does there seem to be any agreement as to the most reliable methods for determining the presence of malnutrition.

A preliminary period of one year was, therefore, spent in proving various methods recommended. The value of such methods was repeatedly checked by submitting cases " selected " by them to suitable treatment, in hospital whenever possible, by a good mixed diet, and after a suitable interval, applying the test again.

At the beginning, somatometric and clinical methods were tried.

It was found, however, that the former methods, which included various height-weight indices, and the A.C.H. index of Franzen and Palmer (1934), were useless ; cf. Miller (1938) and Brock and Latsky (1942).

The following methods, which, as judged by the criterion outlined above, appeared to supply the most reliable means of assessing the presence of malnutrition, were finally adopted.

(1) *Clinical examination.*

This was made as carefully and completely as possible, particularly with regard to early signs of deficiency disease (Squires, 1941 b).

(2) *Dental examination.*

(3) *Deceleration of pulse rate after exertion.*

This test was carried out thus : the subject lay down, and remained quiet for five minutes, after which the resting pulse was counted over three consecutive minutes. The subject then sprinted at top speed over a fixed distance, 50 yards for small children, 100 yards for older ones, and then lay down again immediately. The pulse rate was then counted again continuously for two minutes, the figure being called out every thirty seconds to an assistant, who noted it. It was found that children whose pulse rate did not return to normal at the end of two minutes repaid further investigation.

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[1] I am indebted to the Principal Medical Officer of the Bechuanaland Protectorate for permission to record these observations.

[2] The term "malnutrition" is used throughout in its restricted sense to denote conditions arising from consumption of an inadequate amount of suitable food.

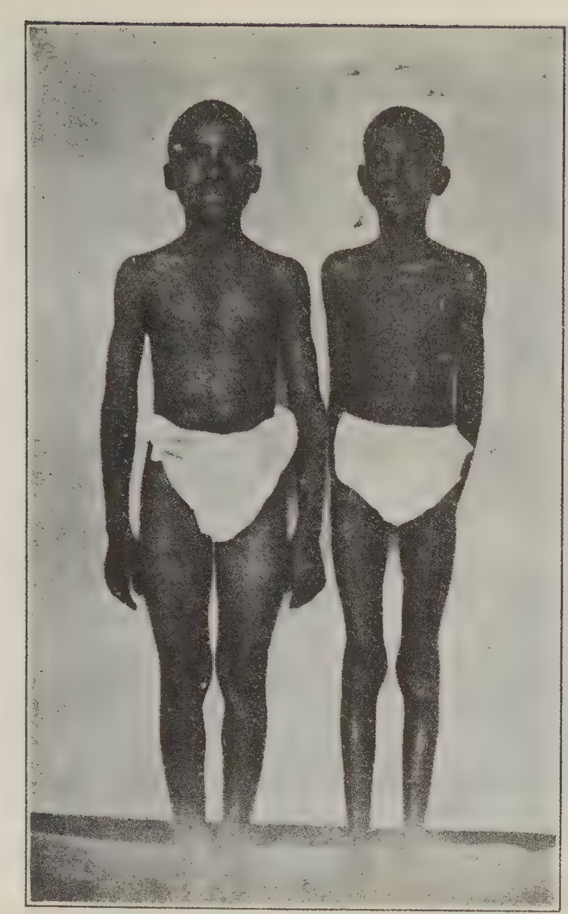

Fig. 1. Case of malnutrition (right) with control of same age.

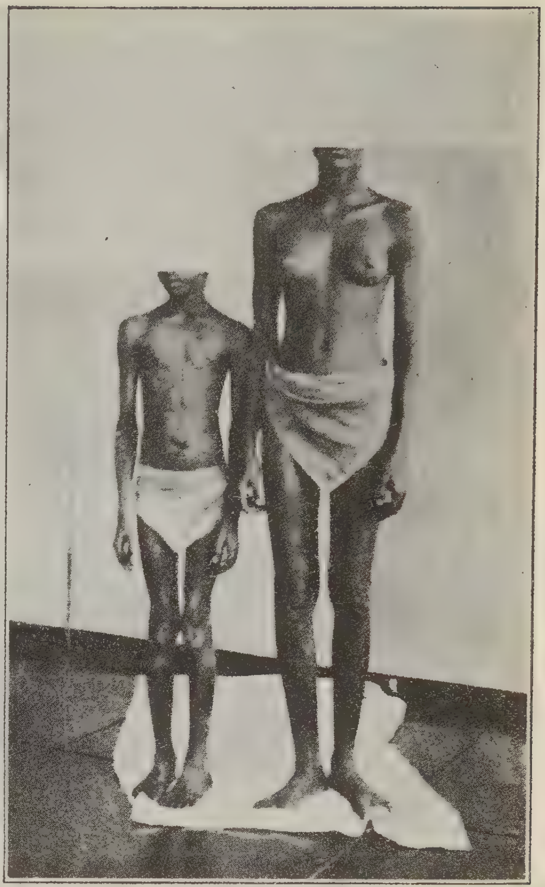

Fig. 2. Extreme case of malnutrition (left) with control of same age.

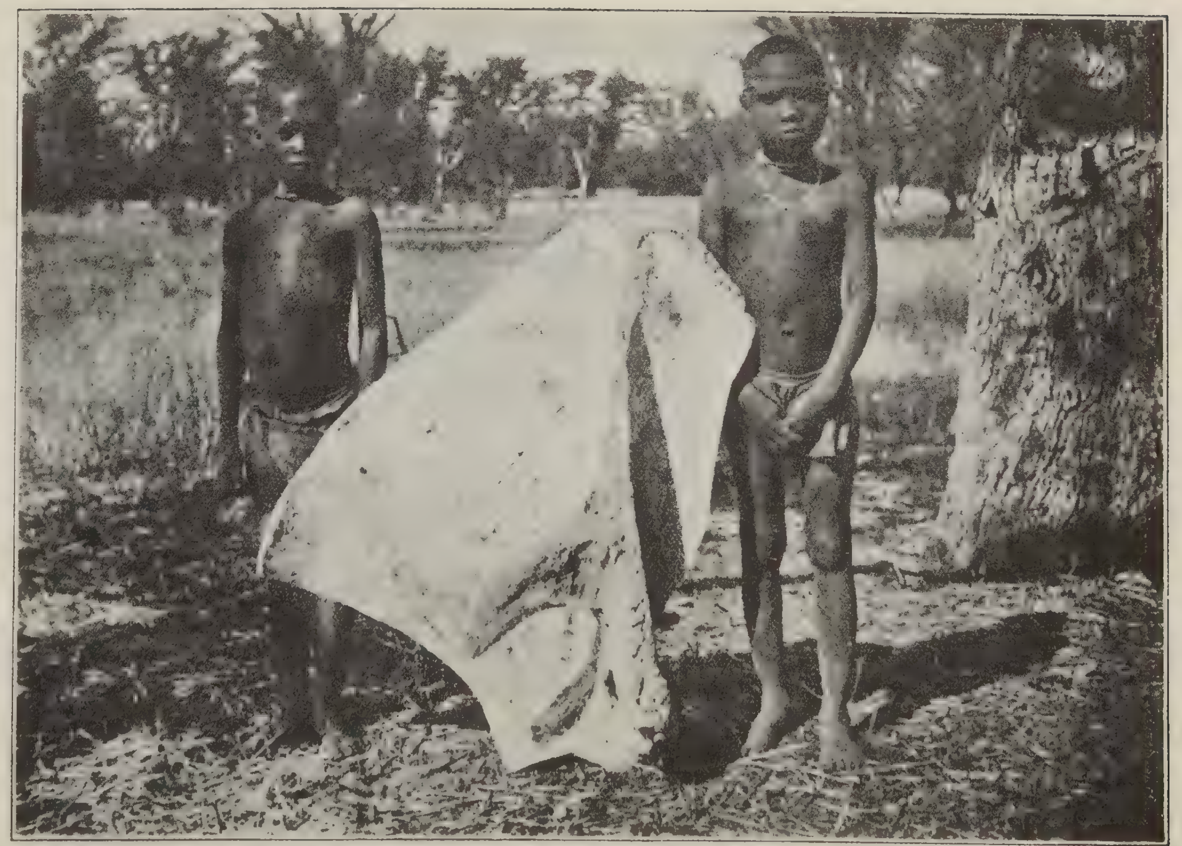

Fig. 3. SARWA CHILDREN

(4) *Haemoglobin estimation.*

The Tallqvist scale (which has proved very suitable for field work, provided the instructions are closely followed) was employed. Since the Tswana range of normal haemoglobin values is wider than that usually quoted for Europeans, and there is some evidence of seasonal fluctuation (Squires, 1941 a) only findings of less than 70 per cent, which corresponds to about 11.0 gms per 100 ml. were considered as significant.

(5) *Bleeding and Coagulation times* (in certain cases only).

In the present investigator's experience, prolongation of bleeding and coagulation times is not uncommon in cases of malnutrition.

The bleeding time by the method given by Panton and Marrack (1934) is increased from the normal of 3-6 minutes to as much as 12 minutes ; the coagulation time [Panton and Marrack op. cit.] from 3-4 minutes to 10 minutes.

(6) *Observation of children at play.*

Although the results of this method of investigation cannot be translated into numerical terms, it is nevertheless most valuable, for the behaviour of the mal-nourished child, who is often dull and apathetic, is different from that of his well fed fellow, who is apt to be both noisy and naughty. Whilst a careful clinical examiner takes cognisance, albeit to a large extent unconsciously, of the expression and reactions of the subject, yet the occasion is a strange one, and at such times, children are apt to be unnatural.

When, however, the child has become used to the sight of the examiner, and is at play, untrammelled by fear of what is to come, much valuable evidence of the child's nutritional state may be gained by unostentatious and *repeated* obervation.

After the conclusion of the examination by the above methods, which were repeated when occasion warranted, the findings for each subject were given careful consideration, and assessed at leisure.

RESULTS

Group.	*Total No. examined.*	*No. assessed as suffering from malnutrition.*	*Per cent.*
i. Tati.	146	38	26
ii. Serowe.	451	96	21
iii. Nata.	138	4	3

Examples of the type of mal-nourished child encountered are shown in figs. 1 and 2. (Fig. 2 shows an extreme case).

DESCRIPTION OF AREAS

Before commenting on the above results, a brief description of the areas investigated, their inhabitants, and the dietary customs thereof, will be given.

No anthropological or sociological survey of the northern Protectorate has yet been made ; general detailed accounts of the Tswana and the Sarwa have been given by Anderson (1888), Selous (1893) and, more recently, by Dornan (1925).

It is to be emphasized that an account of African diet in the Protectorate can be only general, as conditions vary greatly from season to season, and, owing to the variable rainfall, a good harvest is reaped only once in four or five years.

(i) *The Tati Area.*

This area, of some 150 sq. miles, is a part of the Tati Reserve ; it lies within the " mopani " belt, on the southern slopes of the Tati-Shashi watershed. The terrain is interspersed with innumerable torrent river beds, which run only during the rains, and then not for long periods. There are a few wells, no " pans ", and most of the water is obtained from holes, or temporary wells, sunk in the river beds.

The population is approximately 4500, with a stock population of about 5000 head of cattle, and 5000 small stock.

The majority of the inhabitants of this area live in one large village, (Mapoka's). Practically all of them are of the Kalaka tribe, which is allied to the Kalanga of Southern Rhodesia. Originally, they were essentially agriculturalists, and, when the rainfall permitted, produced good crops.

Of late years, however, the Kalaka have provided an increasing amount of labour for organizations outside the Protectorate, and a large proportion of the men are always absent.

The diet is predominantly cereal in character, the chief constituent being kaffir corn (sorghum vulgare), although this is being replaced to some extent by mealie meal, since, when the men are absent, the duty of ploughing and cultivation devolves upon the women.

Many, however, are unable or unwilling to undertake such labour, and consequently have come to depend upon the traders' stores for the bulk of their food. Instead of home stamped cereals, therefore, an increasing amount of commercially ground meal is consumed.

From information supplied concerning the consumption of meal by twenty families over a long period, and checked as completely as possible, it appeared that the daily allowance of meal worked out at 1½-2 lbs. per head for adults, and for children in proportion.

Of pulses, the kaffir bean is chiefly grown, and is preserved, covered with wood ash, in bins.

As to milk, overstocking and subsequent poor grazing are responsible for a limited supply. Fresh milk is drunk only occasionally, most being consumed as "thick" milk, after preparation in skin bags; the curd only is eaten, the whey being thrown away. Should fresh milk only be available for use with porridge, the milk is boiled, and as the "skin" (*lefulu*) rises, it is continually removed, and thrown away; the remainder is then mixed with the porridge.

The consumption of meat is irregular, being chiefly confined to occasions such as weddings and beer-drinks. (During the last few years, there has been an attempt to start Native butcheries in the area, but all such ventures have had to close down through lack of support.)

Supplementary foods such as roots, plants such as spinach (*morogo*) and eggs do not form a constant part of the dietary.

(ii) *The Serowe Area.*

This area includes the town of Serowe, one of the largest African settlements south of the Equator. The town lies in open, arid, somewhat undulating thorn-bush country, which is intersected by torrent river beds, but not to the same extent as the Tati reserve. Save in the rainy season, water is obtained almost exclusively from wells, boreholes, and a few dams.

At certain times of the year the population of the town is about 20,000, but between seed-time and harvest most of the inhabitants live at their "lands," which may be at any distance up to twenty-five miles away.

During this period they visit Serowe at intervals, to lay in stores, etc., for a short time, and return to the "lands". Of late years, however, owing to the increasing desire of the Bechuana for education, there has been an increasing tendency to let children of school age remain in Serowe during the school terms, whilst the rest of the family are out at the "lands."

Dietary constituents in this area differ from those of the Tati in that mealies are grown as well as millet, and that since the Ngwato are pastoral, more meat is consumed. Three Native butcheries are in operation within the town; it is, however, difficult to find out what proportion goes to the inhabitants, as, by virtue of its geographical position, Serowe is on the main road from the east to Ngamiland, and much traffic passes through.

Milk is consumed both fresh and "thick," when available, but is always scarce in Serowe, owing to the fact that, save for a favoured few, there is no grazing for miles around the town, and the cattle are therefore, mostly kept at remote posts, some of which are 200 miles away. The milk problem is by no means new; the difficulty of obtaining it in this district was referred to by Anderson (supra) in connection with the Ngwato settlement at Shoshong, where the tribal capital was situated at the time of his visit.

Seasonal supplementary foods include melons, pumpkins, beans, and occasionally monkey nuts and sugarcane.

(iii) *The Nata Area.*

The Nata country, situated about 150 miles north west of the Tati reserve, is also within the *mopani* belt, and is covered with thick *mopani* scrub, which in places almost deserves the name of forest. The course of the Nata river passes through the area under consideration for about 70 miles; the river comes down in flood during the rains, and its course is so flat that water remains in large pools in the river bed during most of the year. Even when these pools become "brack" through excessive evaporation, water can always be obtained by digging in the river bed. In addition, there are numerous fresh water " pans " throughout the district.

The area investigated comprises about 2500 miles, and the population, according to reliable estimates, does not exceed 1200.

The people of the Nata are of the Sarwa tribe, which, according to Selous and Dornan (supra) is a branch of the Bushmen race. They are a very primitive people, and until very recently, were chiefly employed as serfs to the Bechuana; for their present status see Tagart (1933).

The chief occupation of those who are employed by the Bechuana is cattle herding at remote posts. They are nomadic, changing their abode as exigencies of water, grazing, etc., demand. The posts consist as a rule, of not more than a dozen huts or grass shelters.

The Sarwa are expert hunters, and have plenty of opportunity to exercise the art, as the district abounds in game. Although some of them possess muzzle loading guns, the usual weapon is an assegai about 6 ft. long. In diet, they, like the Bushmen, are omnivorous, and nothing edible comes amiss to them. Their staple foods are meat and milk, together with a variety of fruits, berries, bulbs, such as *marula*, mesembryanthemums, cores of aloes, acacia gum, wild plums, melons, and last but by no means least various roots and tubers. Roots seem to be essential, and to maintain health it appears that the Sarwa must be free to roam over a wide area in search of them.

Cereals form a negligible part of their diet, although some of the Sarwa make a practice of trading salt from the Makarikari salt lake to the Kalaka for grain.

COMMENT

Since this investigation extended to but three localities of the territory, which affords examples of desert, thirstland, swamp, and fertile country, it would be profitless to embark upon any deep general discussion.

So far as the areas at present under examination are concerned, the following factors appear to have a direct bearing upon the findings :—

(1) Generally unbalanced diet of groups (i) and (ii).

(2) Early independence of the children in group (iii).

These factors will be briefly examined.

(1) 2 lbs. of mealie meal or millet provide approximately the following amounts of the various constituents in grammes :—

Crude protein.	*Fat.*	*Carbohydrate. (digestible.)*	*Ca.*	*P.*	*Fe.*
90	31	660	0.20	2.4	0.036

Allowing for losses in absorption, which may be estimated at 20 per cent. for protein, 10 per cent. for true fat, and 5 per cent. for carbohydrate, we have a net intake of 72 gms. protein, 28 gms. fat, and 627 gms. carbohydrate, giving a total calorie value of about 3040.

Raymond, (1940) suggests the following standard for African adults : protein 100 gms. of which 10 gms. should be of animal origin, fat 50 gms., Ca. 0.5. gms., provided the oxalic acid content of the diet is kept at a low level, P 1.0 gm., considering the high phytin content of African diets, and Fe 20 gms.

A glance shows how the above dietary figures fall short of this standard. As to vitamins, although small amounts of vitamin A are present in mealie meal, and of A and B1 complex in millet, it is uncertain how much would be left for absorption, after the prolonged cooking that Native porridge usually enjoys.

It is to be noted that the above amount, 2 lbs., is the maximum adult allowance, and as children require more protein and calcium than adults, their position is worse, since they do not even get an adult's allowance. With regard to meat, assessment of its distribution amongst the family is difficult, but it was generally admitted that the men got most, and the children least. As to milk, the children probably get at least as much as the adult, and more when they get an opportunity to go cattle herding, but the supply like that of fruit, vegetables etc. is essentially of an irregular character. It has been repeatedly noted in the case of group (i), many of whom were observed at intervals for three years, that, although their condition tended to improve at the end of the rainy season, yet they soon slipped back to their former level.

In the case of group (iii), although it is possible that the quantity of food they consume is not much more than that taken by groups (i) and (ii), it is obvious that the diet is much more mixed, with a sufficiency of milk, and other protective foods, which is lacking in that of the other groups.

(2) The mode of life adopted by the inhabitants of the Tati and Serowe areas involves the dependence of the children upon the adults in the matter of food for many years. It is characteristic of the Sarwa, and of Bushmen in general, that quite young children are taught to search for berries, roots, etc., and to hunt small animals, thus at an early age relieving the parents of the task of providing for them.

It is difficult to escape the conclusion that such independence gives the children an opportunity of laying the foundations of a good nutritional status for themselves early in life, which opportunity is in great part denied to children of groups (i) and (ii), who suffer literally from " res angustae domi."

SUMMARY

1. An account is given of an investigation into, and of the methods employed in assessing, the incidence of malnutrition amongst African children of three different areas in the northern Bechuanaland Protectorate.

2. Of 735 children examined, the percentage thus assessed in area (i) was 26, in area (ii) 21, and in area (iii), 3.

3. A short account of the areas in question is given, and the factors involved are briefly discussed.

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DABIDA NUMERALS

By JOHN WILLIAMSON

The Dabida inhabit the Taita Hills, in Kenya Colony, about a hundred miles inland from Mombasa, They claim relationship with the Duruma, Giryama, Kamba, Chaga and Masai tribes, and their language shews the influence of some of these. The country is mountainous and surrounded by arid, bush-covered plains, so that formerly they came in contact with surrounding tribes chiefly through raiding and fighting. As they used to raid frequently into the Pare and Shambala districts of Tanganyika, captives from these tribes were absorbed, and the Taita dialects were influenced.

While searching for Native ways of using arithmetic, for the purpose of making the early studies of young children easier and more interesting, it was discovered that several sets of "numerals" exist. Some of these are closely related to the current methods of counting, others resemble the numerals of neighbouring tribes, and others seem to be entirely alien. They all stop at ten.

The usual numerals without reference to noun classes are 1 *imweȥi*, 2 *ivi*, 3 *idadu*, 4 *inya*, 5 *isanu*, 6 *iȥandadu*, 7 *mfuŋgade*, 8 *vunyanya*, 9 *ikenda*, 10 *ikumi.*

When agreeing with the noun classes, various prefixes are used. 4 has two variations; "four people", *vandu ɓana* instead of *vandu vana*: the the root when agreeing with words of the "n" classes is *-nya* and not *-na* as in all others. 5 has the prefixes *mi-* and *ma-* agreeing with nouns which have these beginnings, instead of *i-* and *a-* as with other numbers. 7, 8, 9 and 10 are invariable, and are therefore omitted from the following tables.

E.	person	tree	bow
s.	*mndu*	*mdi*	*ndana*
p.	*vandu*	*midi*	*ndana*
	umweȥi	*ɣumweȥi*	*imweȥi*
	vavi	*ivi*	*ivi*
	vadadu	*idadu*	*idadu*
	ɓana	*ina*	*inya*
	vasanu	*misanu*	*isanu*
	vaȥandadu	*iȥandadu*	*iȥandadu*

E.	hole	name	song
s.	*kina*	*iȥina*	*lumbo*
p.	*vina*	*maȥina*	*cumbo*
	cimweȥi	*ʒimweȥi*	*lumweȥi*
	vivi	*avi*	*ivi*
	vidadu	*adadu*	*idadu*
	vina	*ana*	*inya*
	visanu	*masanu*	*isanu*
	viȥandadu	*aȥandadu*	*iȥandadu*

E.	wall	small stone	place
s.	*vuȥiɣa*	*kaiɣo*	*andu*
p.	*mavuȥiɣa*	*dumaɣo*	*andu*
	ɣumweȥi	*kamweȥi*	*kumweȥi*
	avi	*duvi*	*kuvi*
	adadu	*dudadu*	*kudadu*
	ana	*duna*	*kuna*
	masanu	*dusanu*	*kusanu*
	aȥandadu	*duȥandadu*	*kuȥandadu*

ORDINALS

imbiȥi, kavi, kadadu, kana, kasanu, kaȥandadu; all others are invariable, i.e. the same as those used without reference to class.

In counting cattle and other commodities, another form is used, accompanied by finger-gestures;

1 *io*	forefinger of right hand
2 *iȥo*	first two fingers right hand
3 *ida*	three fingers
4 *ina*	four fingers
5 *isanu*	closed right fist
6 *iȥandadu* or *sandatu*	right fist and left thumb
7 *mfuŋgade*	right fist and left thumb and forefinger
8 *inyanya*	eight fingers, no thumbs
9 *kenda*	clasp left fingers in right hand
10 *afwa*	both fists.

In this series, No, 1 means "that one", No. 2 means "those"; the others are related to the usual numerals. *Afwa* (with rising tone) may refer to the closing of the series of numbers. After *afwa* one hears *mmbi ɣwa mndu* (human body) referring to ten fingers and ten toes, and meaning twenty. Forty is expressed by *mimbi ya vandu vavi* (two human bodies).

Another form corresponding more nearly to the ordinals is used for counting cattle in another area: *imweri*, *kavi*, *kaɗadu*, *kana*, *kasanu*, *sandao*, *fuŋgahe*, *inyanya*, *ikenda*, *afwa*.

When a child is born the father kills a goat and tries to foretell the child's future by examination of the entrails. A series of numbers is used to express the child's mystic relationship to other members of the tribe, and he is thereafter referred to as a member of the 4th, 5th or other group. The prefix *m-* indicates reference to a person, and means "the one who belongs to 8" etc. *mosi*, *mmbili*, *msadu*, *mnya*, *msanu*, *msasaɗu*, *mafuŋgaɗe*, *mnyanya*, *mkenda*, *mwikumi*.

Under certain circumstances these are included among a person's names. Girls are always of the *mkenda* group.

A counting system reputed to be much older than those in use today is still used by children in their games, and they seem to prefer it in their early arithmetic work; they can sometimes be heard repeating these numbers with the aid of their fingers. A hundred years ago, it is said that they were the ordinary numerals. They appear to be invariable. Many of the syllables are unfamiliar in modern Dabida. It has been suggested that 9 means "the one who stays at home", and has reference to women, as in the preceding series. The children sing these numbers to a simple tune when counting in their games. Those in the first column are used in the Mbale dialect, the second in Sagalla, and the third at Msau.

mboti	*mboti*	*mbote*
tindayo	*tanda*	*tandayo*
mwasui	*mwaiti*	*segu*
mwenda	*mɣendi*	*segula*
mbigo	*ndigo*	*lala*
mbigale	*ndigo*	*tandahu*
kaeke	*katika*	*mfuŋgahe*
kakunya	*gona*	*nyanya*
mwanyumba	*mwanyimbo*	*kamba*
tebii	*fole*	*kabofo*

In repeating these numbers, the stress in trisyllabic words falls on the first syllable, and the tunes follow this, although the custom of the language is to stress the penultimate syllable. It will be seen that the series in the Sagalla dialect is incomplete, in that *ndigo* is used for both 5 and 6, but the musical tone is different; 5 has a higher tone on the first syllable. My informant assured me that it had never occurred to him that these words represented a counting system, till it was suggested to him by another African. His opinion had been that they represented children's games only. In Msau and Kiɣombo, however, the children begin by bending down the fingers of the right hand with those of the left till 5 (*lala*) is reached, when, the thumb having been laid down, they know to begin at "6" with the little finger of the other hand, and thus really learn to count. In this series, too, there are several familiar forms, viz., six, seven and eight.

The suggestion may be made that though these words may be related to genuine counting systems, there is a chance that they are only "nonsense" numbers, such as are used in Europe in counting games. Even if that is so, the arithmetical value is not lessened, since the children's interest is aroused by the familiarity of forms which they use in daily life.

BOOKS IN REVIEW

African Discovery. An Anthology of Exploration. By Margery Perham and J. Simmons. 1942. London: *Faber*. 280 pp. 12s. 6d.

This anthology is culled from the writings of eleven travellers in what Mr. Simmons calls the third period of African exploration, which starts with Bruce's journey in 1768 and runs to the death of Livingstone 104 years later. The first period was that of the Egyptian, Greek and Roman pioneers, and the second that mainly of the Portuguese in the 15th to the 17th centuries. The scope is therefore arbitrarily limited, but we have no doubt many will be stirred to seek the fuller fare for which this admirable anthology gives an appetite.

Miss Perham's introduction is of itself of great value. Not only does she deal with the purpose and character of the anthology and of the reasons which led to the selection of passages, but she also discusses some of the main themes which emerge from the writings and reflections of these intrepid travellers. In "readability" the stories never lack interest, though as Miss Perham says, one can quickly lose interest in these days in mere big-game hunting. It is the human interest, fortunately, that is paramount, interest in the writers themselves and in the African people they met.

The pattern of African society in its primitive state is not clearly seen for it was already marred by the slave trade and the cruelty that accompanied this barbarous traffic. Cruelty in all its nakedness did exist, of course, in some of the customs of the Baganda as described by Speke and of the Abyssinians whom Bruce encountered, and no doubt of others. But it is not long ago that in English history, for instance, conscience did not revolt from outbreaks of sheer barbarism, nor can we say that the "civilised" world of to-day shrinks from inhumanity of man to man.

This thought should make us more tolerant towards the Africa here described. Moreover, natural goodness comes breaking out also, and certainly in many cases a high degree of sound tribal organisation.

Another point to be noticed is the striking absence of colour prejudice. The great of both nations meet as equals, and real friendship is engendered. Once I saw this most strikingly exemplified when the great African Chief Khama received the congratulations of a host of Europeans on the occasion of his jubilee. He stood out as the greatest gentleman of us all, and was treated as such. Of the eleven explorers who bestride these pages four were Scots, six were English and one (Stanley) was Welsh. The companionship of Clapperton and his servant Lander makes a moving story, especially during the long and fatal illness of the former. In lighter vein is the account of their entanglements with the widow of Zuma. Not all the explorers shared *their* sense of humour. Of all the writers, pride of place will perhaps be given to Mungo Park (1771-1806) and David Livingstone (1813-1873). Livingstone, indeed, is the hero of heroes. His was the sublimest motive and his the greatest achievement in African exploration. Filled as he was with a burning desire to extirpate the slave trade, and to introduce in its place "legitimate commerce", he had the vision of a new Africa wherein Christian teaching and Christian commerce would go hand in hand. His vision has not been realised, but nevertheless his name stands in African annals for all time as the Beloved Physician. I have met Africans who knew him, *Ngaka*, the great Doctor, the Christian gentleman.

Two very striking chapters bring this admirable and stirring anthology to a close—Sir Henry Stanley's somewhat florid, yet memorable, account of his meeting with Livingstone and of his four months sojourn with him at Ujiji. "I lived with him in the same house, or in the same boat, or in the same tent, and I never found a fault in him", he says; and Livingstone's last journey and the facsimile of the last entries in his journal.

This is a book to read and to keep, for in it is the record of that unconquerable courage which drove men not once but again and again to Africa in obedience to a vision which seems somehow to make of great explorers a "race apart."

A. J. Haile.

The Soils, Vegetation and Agriculture of North-Eastern Rhodesia. By C. G. Trapnell. 1943. Lusaka: *Government Printer.* 5s.

This publication completes the report of the Northern Rhodesia Ecological Survey which began its work in 1932. The first half of the report on *The Soils, Vegetation and Agricultural Systems of North-Western Rhodesia* by C. G. Trapnell and J. N. Clothier appeared in 1937. The survey was undertaken because it was considered that "the natural vegetation of an undeveloped country, properly understood in relation to soil and other environmental factors, and classified in consistency with them, should provide the most efficient single guide to its agricultural and forest potentialities." The Northern Rhodesia Government has shown great foresight in financing this scientific survey, and ecologically the Territory is now one of the best known in Africa.

Only the Northern Rhodesia Government ecologist, C. G. Trapnell, has worked on the whole survey, which was inaugurated by Professor R. S. Adamson. An agricultural officer, Mr. J. N. Clothier, helped Mr. Trapnell prepare the report on North-Western Rhodesia. A soil chemist unfortunately was retrenched in 1933 because of the depression, and unhappily the work of G. Milne, of the East African Agricultural Research Station, on the soil of the Northern Province did not bear full fruit because of his death.

The reports begin by surveying the geology, climate, soils and vegetation of the Territory, and dividing it into "ecological areas." The African system of agriculture and stock-husbandry are described in relation to environmental conditions and historical affiliations. Here attention is devoted to over-working of the land and soil erosion. One point that is stressed is the soundness of these Native techniques: for example, the survey points out that the system of far-reaching shifting cultivation in bush, where fallows are left till the indigenous bush recovers, is far less destructive than the apparently better system of frequent re-cultivation, encouraged by District Officers. Of the Lozi plain agriculture, the survey says that it is a remarkable system for which improvement cannot be suggested without elaborate experiment. It is growing for markets and land restriction which has upset the ecological balance in most, but not all, cases.

The survey considers how types of African agriculture can be extended to other suitable areas, and what economic crops can be introduced.

European farming is also dealt with, and the potentialities of the country for more European farming, as well as forestry and the development of African crafts. Fishing is not considered, except in so far as fish are used in trade.

Modestly, the first report introduces itself: "A general acount of the country and Native agriculture will be of use to both specialist and administrative departments. A complete and final account is impossible, but if a general view has been provided and the foundations laid for future local investigations, the Survey will have served its purpose." The reports as they stand are of inestimable scientific practical value; they are the soundest foundation for studies of the Northern Rhodesia peasantry. The members of the survey have much unpublished information which they have gladly shown to other investigators. Two fuller sociological studies, *Land, Labour and Diet in Northern Rhodesia* on the Bemba, by Dr. A. I. Richards, and my own *Economy of the Central Barotse Plain* on the Lozi show clearly the value of sociological work on a sound ecological basis. We hope that after the war the Rhodes-Livingstone Institute will be able to extend the sphere of these local investigations on the basis of the ecological reports.

Max Gluckman.

A Comparative Study of Kgalagadi, Kwena and other Sotho Dialects. By D. F. v.d. Merwe and I. Schapera. Communications from the School of African Studies, *University of Cape Town*, New Series No. 9, 1943, 120. pp.

In this study Dr. v.d. Merwe has worked up the comparative grammar of Kgalagadi from textual material and extensive field notes collected by Professor Schapera at Molepolole during 1938. While pointing out that much more information is required on the language before coming to any final opinion upon its position, Dr. v.d. Merwe prefaces his detailed study with an interesting summary of Kgalagadi phenomena. He states: "Kgalagadi ranks as one of the mixed dialects of Sotho; the elements, differing from 'normal' Sotho, that are found in its structure more than justify such a classification. But, except in vocabulary, which as a rule is similar to that of Tswana (Kwena), Kgalagadi does not show a predominant inclination towards any particular Sotho dialect. In this respect it differs, e.g. from Lozi, whose Sotho stock is predominantly Southern Sotho, or from Lobedu, whose Sotho stock is predominantly Northern Sotho."

With the above as a conclusion, it is somewhat of a pity that the authors were content to base their orthography largely upon what is now accepted as standard for Tswana—especially in respect to word-division. It is easily understood that choice of symbols should follow Tswana or Northern Sotho closely; but in what is purely a scientific work on a language which will never be used for practical purposes, it seems unwise to impose the false word-division under which the Sotho languages groan today. One might have expected at least a hyphening together of the elements as a first stage away from a non-Bantu to the Bantu system of word-division. Further, it is quite certain that Sotho will, in time, see the wisdom of this for her own literary types.

Dr. v.d. Merwe has collated a large amount of material from the texts and notes and has given quite a comprehensive grammatical survey, including a very considerable study of the verb with rather special attention to the verbal derivatives. Here we see quite a number of new and suggestive terms for suffixes hitherto not classified, the result of other unpublished work of his upon Sotho generally. A Kgalagadi-Kwena Vocabulary is appended. Schapera points out that all this information was collected from a single informant. Obviously further research upon this language, to supplement and verify what we have here, is called for.

C.M.D.

Indian Life and Labour in Natal. Edited by H. R. Burrows. 1943. Johannesburg: *S.A. Institute of Race Relations*. 36 pp. 1s.

This pamphlet is one of the very few attempts to present the so-called Indian problem dispassionately. Coming soon after the emotional outbursts in the last session of Parliament which preceded the Pegging Act, it offers a tremendous relief. Edited by Professor Burrows of the Natal University College, and published by the Institute of Race Relations, the work is a summary "of part of a co-operative research carried over the last four years." In the preface is expressed the hope that the contribution "will help towards an understanding of present facts and future possibilities", a hope which, if realised, will go a long way in presenting the Indian case in its true perspective.

Under the heading "Early Days," we are given the historical fact so little known that Indians came to South Africa on the invitation of the Natal Government under a definite contract. On the expiry of their contract they were given the choice between reindenture, a free passage home to India, or freedom and a small plot of land. They usually chose the last, but we are told that "the promise of land was rarely implemented." Later "free Indians" followed. Even in those early days there were many who saw in the Indian, besides his cheap labour, a competitor in the economic field.

Many laws have been enacted against the Indians after "freedom and a small plot of land" were given to him. In 1893 Natal Indians were disfranchised, in 1913 Inter-Provincial barriers were introduced and rigid immigration laws prohibited the entry of more Indians into the Union. Although the pamphlet does not mention it, it is important to note that anti-Indian laws have been imposed upon the Indians almost annually with the result that we have some sixty-five anti-Indian measures on the Union Statute Book.

Despite many handicaps the Indian population has continued to increase. The total Indian population in Natal is 195,000 (1940) as against a European population of 201,900. On the 1936 figures this works out to 9.4 per cent of the total population of all races in the Province, and 84 per cent of the Indian population of the Union. It is a growing population with 47 per cent under the age of fifteen and with six out of every ten living in an urban area. By 1960 it is estimated that there will be at least 263,000 Indians in Natal.

The occupational division of Indians in Natal shows that 9 per cent are engaged in agriculture, an appreciable number in market gardening; 400 in railways (1937), 3,000 in local government (1939), some in mining, and 7,581 in commerce and finance (1936).

The most remarkable expansion has been in industrial employment. Excluding the food and drink industry, Indian industrial employment was doubled between 1915 and 1937, while the total population increased only by 50 per cent. There are many obstacles to such progress. Skilled work is not generally speaking open to him ; he is not always admitted to the membership and the protection of trade unions ; he is prevented from undercutting European labour ; and he lacks the minimum educational background necessary for apprenticeship. In 1942, there were only eighteen properly indentured Indian workers under the Apprenticeship Act.

Many other aspects of Indian life are brought out in the pamphlet. Valuable information is contained about food and income, education, housing, health and social services. Throughout the survey there is a degree of impartiality which leaves us to make our own deductions without any help from the authors.

It is not too much to say that the expansion in industrial occupation is having a tremendous repercussion on many aspects of Indian life. For the first time a large section of Indians are being organised in trade unions and the value of this organisation is being realised more and more. It was due to the pressure of this organised group more than anything else, that recently brought about unity in the ranks of Natal Indians after a lapse of fourteen years.

More surveys of this type are urgently required for a better understanding of the " Indian problem " ; but what is more urgently needed is action to stop a further deterioration of the Indian position in South Africa.

I.M.

Diary of a District Officer. By KENNETH BRADLEY. 1943. London : *Harrap* 5s. and *Guild Books* 9d.

Mr. Bradley is evidently a very charming, honest and intelligent man. His book teems with delightful character studies, amusing incidents and hopes for the future of tribal Africans in Northern Rhodesia. His *mupusawe* joke to bring absent-minded and sun-baked old headmen back to earth and the mock " raid " carried out unbeknown to him, at the instigation of the little old wrinkled Pofu, which landed his party waterless and woodless in the deserted village, stand out. Angered at times by sloth and inefficiency, he faces a new day with fresh confidence in African potentialities. He does not suffer from the segregationist fantasy that Africans are brightest and best in their own little world, and he vouches that all the best houses on his Mwangazi tour belong to those who have been working in white towns. He may laugh at the Africans' obsession with education as an insurance policy for the aged relatives of the educated, but he fully appreciates the fundamental need of education—even latrines are objects of suspicion to those least in contact with Western civilisation as enemies may place medicines therein. His description of the Ngoni school run by outstanding Africans of different denominations is inspiring.

It is a real pity Mr. Bradley did not read some anthropology, for he could have enhanced the value of his work had he troubled to pierce the barrier set up between himself and his people by his office. Questions about the taboo on sitting on Kunda mortars might not have elicited the truth, but what a pity to dismiss an interesting point just by saying that he is no anthropologist. Again, he could not have said " hardly anyone lies in a Native court ", as the other Natives would always know !

The fundamental weakness of the book, however, is that he tries to separate Northern Rhodesia into two—the peaceful, fairly contented reserves and out-districts, where " no shot has been fired in anger " for over thirty years, which he claims " comprises the real Northern Rhodesia ", and what one supposes he would call the " unreal " Northern Rhodesia, where strikes and two disturbances have occurred. To do this falls into the segregationist myth that what Africans do in towns is in no way typical of them and of no real importance. Also, one feels that though through indirect rule the people are becoming alive to their interests and progress—as when he describes the cotton and rice sale or the blossoming schools and the tribal nationalism which makes Africans want their tax money spent on their own people—yet all this is but a tiny island in a huge black morass of dirt, over-population, lack of water, and disease. Without means to end these, the highest aspirations are bound to fail.

But Mr. Bradley's light heart carries us delighted to the end. We should like a lot more of this modern adventure story told in this easy and exciting way.

Harvest and Health in Africa. By EDWARD ROUX. 1942. London: *Nelson.* 88 pp. 1s. 6d.

In this little book Dr. Roux has essayed an ambitious task. He has set out to teach African readers belonging to many different tribes, living in different geographical areas, under a wide variety of climatic conditions and speaking different languages " new ways of farming and new ideas about food and sickness ", and to show " how farming, food and health are related to each other." His breadth of view is exemplified by the different crop rotations he suggests for, respectively, the Gold Coast and Northern Territories, East Africa, Northern Rhodesia and Nyasaland, Nigeria and South Africa. The author's thorough knowledge of agriculture, both in its theoretical and its practical aspects, is apparent on every page, and the effect of the teaching is heightened by the clever work of the artist, Miss Betty Spence. The titles of successive chapters, How Plants Grow, Making the Soil Rich, Cattle and Grass, Saving the Soil, Better Animals, Food, Sickness, Our Bodies, and finally, Education, Health and Co-operation illustrate, better than any comments can do, the scope and range of the author's knowledge and vision.

The case is unanswerable. The pity is that, as things are, at least in this Southern extremity of the continent, so few, so very few, Africans are in a position to apply the lessons taught. Small patches of unirrigated land, with frequent droughts, will not support families, even if the angel Gabriel were to cultivate them by the most approved methods. Grazing is not—as in the book—the private property of the farmer. It is commonage; and, if the more enlightened members of the village community were to propose to fence it off into four sections and to reduce stock to let the grass recover, as the author recommends his African farmer to do, the backward, uneducated section—often a majority—would vehemently oppose the suggestion, and it could not be carried out. The little book and its arguments would mean nothing to them. They cannot read, and they are not used to thinking (outside standard lines), they follow " our custom." Moreover, the prospect of the unenlightened section becoming enlightened is not at present bright. The policy of South Africa for years has been not to spend anything upon developing elementary education among the Africans beyond what the Africans themselves can pay for. Those who, like Dr. Roux, take pains to help the African people are thus hindered and handicapped. It boils down to this that an illiterate population *cannot* make progress in agriculture or anything else. Elementary education breaks to some extent the hard surface of accumulated tradition and makes possible the sowing of seeds of enlightenment. If South Africa could be persuaded to adopt a forward policy in education, better agriculture would be easier to inculcate and some improvement in health would become possible.

A self-supporting peasant population, however, cannot be evolved on the present lines. The plots are too small. Wage earning at distant places is for the majority of the rural African population their only hope of getting even a subsistence living in South Africa today.

N.M.

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CONTRIBUTORS TO THIS ISSUE

REV. J. F. **CARRINGTON** is in the service of the Baptist Missionary Society at Yakusu, near Stanleyville.

DR. **BERNARD T. SQUIRES** is in the medical service of the Bechuanaland Protectorate.

DR. O. F. **RAUM** is the author of *Chaga Childhood*, which is based on his field work in Tanganyika.

REV. **JOHN WILLIAMSON** is in the service of the Church Missionary Society at Kabete, Kenya.